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At the election Graham had been returned unopposed, and at a dinner given him he had spoken still in general terms for 'moderate but effective Reform, transferring the franchise of decayed boroughs to populous towns, and throwing open the franchise of cities and boroughs to the householders rated at £10 or £20 a year.' But on his return to London he entered into conference on the subject with his friends Althorp, Stanley, Brougham, and Palmerston. Letters dated about the opening of the session throw light on his attitude and on theirs.

*From Mr. Brougham*

*November, 1830.*

Althorp and Stanley and Denman dined with me yesterday after our meeting, and agreed to come again next Sunday to talk over the Reform Bill in detail before calling another meeting, and we all wished you to join us. Stanley and I accordingly went to Brooks's, as he said you would be there, but we found you not.

We all agreed that it would be highly expedient if you could in the interval see any of the Palmerston folks, and ascertain how far they are prepared to go, the heads being—1. Great towns. 2. Expenses of poll, etc. 3. Non-resident voters in boroughs. 4. General rights of householders. 5. Disfranchisement of rotten boroughs and small towns, such as Barnstaple and Cornish nuisances, to the extent of one member, to make room for great towns.

Graham's answer approves in general terms of a Bill as large as public opinion required and prudence permit.

GROSVENOR PLACE, *November*

I can have no difficulty in lending my feeble but assistance to the discussion of the details of the measure which you have undertaken. I accept with pleasure your invitation for Sunday next.

I shall endeavour before that time to asce

sentiments of Lord Palmerston and his friends ; but I am sure that—as you seek a practical remedy for an admitted evil at a moment of great excitement—you will be disposed to conciliate general support in Parliament by concessions as large as you may deem consistent with your own principles, and with your duty to the public, our common object being to reform to the extent necessary for preserving our institutions, not to change for the purpose of subverting.

In this matter general concurrence can only be obtained by mutual modifications of opinions, some stretching the concession further than they may have hitherto thought desirable, others for the sake of what is practicable reducing what they may deem to be expedient ; and I rejoice that the question is in your hands, because the public will be satisfied with less from you than from any other member of the House of Commons, when you declare that you bring forward all which you can hope to carry with a due regard to the circumstances of the present time.

Much discussion, negotiation, and arrangement will be required, not only before we can bring Palmerston's friends into favour of Reform, but before you can meet the wishes of our own friends in both Houses of Parliament.

Would you therefore, before you give, instead of formal notice, a speech to the House, notifying your intention to bring forward a vast subject in all its details ?

Mr. Brougham, in announcing that on the 17th of November the great question of the Reform of the House of Commons fully under his consideration, was not revolution, but representation from the people.

He gave formal notice, which

was taken into a Committee for consideration the state





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**LIFE AND LETTERS  
OF SIR JAMES GRAHAM**



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*Sir H. Raeburn, R.A. Painted*

*Engraved by Walker, R.S.*

*James Graham*  
*aged c. 7-9*

*from the picture in the possession of Sir Richard Graham of Vetherby.*

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# THE END OF THE LINE OF A JAMES CRAMER

*Journal of Management Studies*, 20(6), 791-806.

1. 1944

CHARLES DE LEEUW

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# LIFE AND LETTERS OF SIR JAMES GRAHAM

SECOND BARONET OF NETHERBY, P.C., G.C.B.

1792—1861

BY

CHARLES STUART PARKER

HONORARY FELLOW OF UNIVERSITY COLLEGE, OXFORD  
FORMERLY M.P. FOR THE COUNTY AND FOR THE CITY OF  
PERTH; EDITOR OF 'THE LIFE OF SIR ROBERT PEEL  
FROM HIS PRIVATE PAPERS'

WITH ILLUSTRATIONS

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## P R E F A C E

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**T**HE kind reception given to my Life of Sir Robert Peel from his private papers has encouraged me to take in hand another similar work.

Of all Peel's colleagues in the House of Commons the one most intimately allied with him in creating and guiding 'the Conservative Party' (1835-41), in governing and legislating for Great Britain and Ireland (1841-46), in establishing Free Trade in Corn, and in guarding against Protectionist reaction (1846-50), was Sir James Graham.

But also for four years before joining Peel Graham had played an active part in the Whig Cabinet of Lord Grey, especially in connection with the Reform Bill of 1832; and for eleven years after Peel's death, with Lord Aberdeen, Lord John Russell, and younger 'parliamentary hands'—Gladstone, Sidney Herbert, Cardwell, and the Duke of Argyll—he passed on to later times the tradition of a policy neither Tory nor Radical, but known as 'Liberal Conservative,' or 'Conservative Liberal,' according as the one or the other tendency prevailed.

With these statesmen Graham was in close touch. His correspondence with them reveals their thoughts



and motives with his own, and thus provides records of value for the inner history of his times.

Mr. Gladstone in his old age used to say<sup>1</sup> that of all political papers as yet unpublished he looked with most interest to seeing Graham's. Would that he had lived to make his comments on them!

Sir James Graham, in his Will, dated May 1858, thus disposed of his papers :

I leave all my official correspondence to my brother George Graham and the Right Honourable Sidney Herbert, M.P.

I strictly enjoin that in any selection which may be made for future publication due regard may be paid to my memory, and to the fair fame of those who have corresponded with me under the sacred trust of mutual confidence, or on whose conduct I may have commented too harshly.

Lord Herbert died three months before Sir James, and Major Graham saw reasons against early publication. In 1864 he wrote :

Soon after the death of Sir James Graham, Messrs. Saunders and Ottley commissioned Mr. McCullagh Torrens [M.P.] to write his life. He applied to me for papers, but I showed him the extract from the will, and I declined giving him any. I have decided to sanction no such publication at present. Some twenty or thirty years hence the confidential letters preserved may throw light upon the actions of the statesmen who from 1818 to 1861 were engaged in the momentous changes of that period, and may explain transactions the secret circumstances connected with which have hitherto been unrevealed.

After Major Graham's death the papers were examined by Sir James's youngest daughter, Mrs. Charles Baring, and in 1893 were finally made over to her, as the person

<sup>1</sup> To Mr. John Murray, and others.

most able to interpret her father's injunctions. Till now hardly any leave has been given to use letters, except for Lord Stanmore's short *Life of Lord Aberdeen*, for his recent *Memoir of Lord Herbert*, for my *Life of Peel*, and for Mr. Morley's *Life of Gladstone*.

As in Peel's life, so in Graham's, it has been thought well to let the statesman chiefly concerned speak mainly for himself in words used at the time of action. While this course has some of the advantages of autobiography, it avoids risks of inaccuracy apt to occur when, towards the close of a long and busy life, with memory impaired, an old man's efforts to recall his earlier thoughts and feelings may be coloured by some influence from later years.

Few statesmen have been at more pains than Peel or Graham to preserve their correspondence. But in each case I found it necessary to add much by borrowing letters of which the writer had kept no copies.

For such letters thanks are due to the present Earl Grey—who has given leave also to quote freely from his grandfather's published *Correspondence with King William IV.*—to the Earl of Derby, to the Trustees of Sir Robert Peel, to the Hon. Rollo Russell, to Lord Stanmore, to the Earl of Clarendon, to the Trustees of Mr. Gladstone, to Sir Herbert Lewis, to Mrs. Arthur Arbuthnot for much correspondence with the Right Hon. Charles Arbuthnot, and to Miss Roebuck, for an important letter to her father (see Appendix to Chapter V.).

For leave to publish letters I have in the first place gratefully to acknowledge permission granted by His Majesty the King for letters from and to Her Majesty the late Queen Victoria and His Royal Highness Prince Albert.

For similar consents I have to thank the Duke of Wellington, the Duke of Bedford, the Duchess Dowager of Argyll, the Marquis of Londonderry, Earl Spencer, Lord Brougham, Alice Countess of Strafford—for her uncle Charles Greville's letters, and for leave to quote from his *Memoirs*—Lord Rothschild and his colleagues (through Mr. Monypenny) for letters from Mr. Disraeli, Lord Welby for a letter from Sir W. Anderson, Mrs. Cobden Unwin and Mr. J. A. Bright for use of a letter addressed by his father to Mr. Cobden, Lady Milbanke for letters from Mr. and Mrs. Huskisson, and Lady Briggs for leave to cite the valuable testimony of her husband, in his interesting record of *Naval Administrations*, to work done at the Admiralty.

I have derived help also from the published Lives of Sir James Graham by Mr. McCullagh Torrens and by Dr. Lonsdale, in his *Worthies of Cumberland*; of Lord John Russell by Sir Spencer Walpole; of Lord Palmerston by Lord Bulwer, Mr. Evelyn Ashley, and the Duke of Argyll; of Lord Aberdeen and of Lord Herbert by Lord Stanmore; and it need hardly be added of Mr. Gladstone by Mr. Morley. And I am indebted to Mrs. Drew for sanctioning publication of a confidential letter from her mother, Mrs. Gladstone.

Lastly, to Mrs. Charles Baring I owe warmest thanks for free use of all Sir James Graham's papers that could throw light upon his character and public work; for aid given in choice of letters, in revising proofs, in suggestions tendered always with modest insistence on the sole responsibility of the writer; and not least for consenting to record her own reminiscences of home life with her father. Sir Richard and Lady Cynthia Graham, too, I cordially thank for hospitalities at Netherby,

and for providing photographs from family portraits there.

With such materials and such assistance there may now be presented a less imperfect view than hitherto was possible of the life-work of a great public servant. Misconceptions may be removed, and useful lessons may be learned from the bright example he set of single-minded devotion to duty, and from the decision with which he handled grave questions of his day, administrative, legislative, and constitutional, some of which in later stages, or in altered form, still call for wise and well-considered action.

CHARLES STUART PARKER.



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LIFE AND LETTERS  
OF  
SIR JAMES GRAHAM

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CHAPTER I

1792—1813

<sup>6</sup> Early Ambition to become a Statesman—Ancestry—Græmes of Scotland, and of the Border—First Baronets of Esk and Netherby—Viscount Preston—Doctor Graham—First Sir James Graham, and Lady Catherine—Birth of their Eldest Son—First School at Dalston—Westminster—Private Tutors—Christ Church—Foreign Travel—Letters to his Father.

FROM the time when first, in youth, James Graham, afterwards the well-known Minister, addressed his mind to choosing a pursuit for life, his chief ambition, as his early letters show, was to represent his native county in Parliament, and earn fame as a statesman active to promote the general good.

For the heir to Netherby this was no vain aspiration. In those days counties were well inclined to commit their public interests to members of old landowning families, and his ancestors for many generations had possessed extensive tracts of Cumberland.



With the Scottish Grahams<sup>1</sup> they claimed descent from one Græme, who in the reign of Fergus II., A.D. 420, made the breach still known as 'Græme's Dyke' in the Roman wall between Forth and Clyde, and during the minority of a grandson of Fergus governed Scotland. But, to pass lightly over oral traditions, 'it is certain,' writes Burke, 'that no family of Great Britain can boast of greater antiquity than the Grahams.'

Coming to written records, seven centuries later a charter granted by David I. to the monks of Holyrood, in 1178, bears the signature of Sir William Græme. His great-grandson married a Stewart of the Royal blood, niece of Robert II. Their son Patrick, marrying another Royal Stewart, Countess of Strathearn, acquired the Earldom with right to quarter the Royal arms, and it was one of his grandsons, second son of Malise, Earl of Strathearn and Menteith, and himself well known as 'John of the Bright Sword,' that first led his retainers to settle in the Border country, then 'debated' between Scotland and England.

From them sprang the 'Græmes of the Border,' a wild race in wild times, too prone to levy blackmail, and to harbour outlaws from both kingdoms. In plain words of an old writer, 'They were all stark moss-troopers and arrant thieves.' Sir James Graham on occasion used to quote a saying of a mother of his clan to her son: 'Ride, Rowly, ride; the last hough's in the pot.' That is, the last bit of beef is boiling; go and get more. For their malpractices James VI., on becoming King of England, expelled from Cumberland four hundred of the less

<sup>1</sup> The head of the Scottish Grahams, now Duke of Montrose, married, in 1876, Violet Hermione, grand-daughter of Sir James Graham, thus reuniting two long separated branches of the family.

reputable Grahams, as they had then come to be called, permitting to remain those more peaceably disposed.

It was one of these, Sir Richard Graham—attached to James, and made a baronet by Charles I.—who first acquired by purchase and by Royal favour the lands of Esk and Netherby, with adjacent manors. He had accompanied Charles to Spain, when he thought of marrying the Infanta. On the journey, one day in Lent, when at Spanish inns no meat could be had, Richard Graham, seeing a herd of goats go by, was overheard by Charles telling Buckingham, ‘he would snap up a kid, and make shift to carry him to their lodgings’; on which the Prince is supposed to have said, ‘Come, come, Dick! none of your Border tricks.’ So Sir James told the story. This Sir Richard seems to have built most of the mansion at Netherby in 1629. One fourth part of the present house is a Border tower, seven or eight hundred years old. To this either Sir Richard or some former possessor made considerable additions. The whole was remodelled about 1835 by Sir James Graham. To him the estates descended from Sir Richard’s son, Sir George Graham of Esk.

First, however, they passed to the most distinguished in old times of the Border Grahams, Sir George’s elder son, a second Sir Richard. Educated at Westminster and at Christ Church, Oxford, he became for many years Ambassador to France, and afterwards Secretary of State to James II., and Lord President of the Council. In the English Parliament he represented Cockermouth, and in 1680 he was raised, as Viscount Preston, to the Scottish Peerage. When James fled from England, Preston, remaining true to him, and plotting for his restoration, was convicted of high treason, and barely escaped execution.

His little daughter was found, it is said, by Queen Mary weeping, and being asked what caused her tears, 'I am thinking,' she replied, 'how hard it is that my father should suffer death because he loved your father.' Mary pled the cause to her husband, and William, appreciating Preston's loyalty to James, deemed it politic to spare him. Pardoned for his fidelity, he was allowed to keep his life, rank, and estates. But on the death of his grandson, the third Viscount, without issue, the lands reverted to a daughter of the second Viscount, Lady Widdrington, and she, also dying childless, bequeathed them to her cousin, the Rev. Robert Graham, D.D., son of William Graham (Dean of Carlisle and Wells, and Clerk of the Closet to Queen Anne), grandson of Sir George Graham of Esk, and grandfather of the subject of this memoir. Portraits of all these predecessors hang on the walls of Netherby.

Dr. Graham, like his grandson, was a practical reformer. On succeeding to so large a property, he resigned a family living, and gave all his time to his duties as a landowner. Borrowing money to develop his estates, he drained a thousand acres, planted freely, fenced in farms, improved a neighbouring harbour, laid out gardens, built villages and schools, and strove with some success to wean his tenantry from thriftless habits and rude ways. The expense was great, the improvements manifest, the profits doubtful, and, by a singular calamity, five or six hundred acres of his agricultural land were submerged under a great tract of Solway moss descending from higher ground. Thus he left to his successor a heritage of large extent, but not of equal value.

In politics a determined Whig, Dr. Graham was long remembered for the leading part he took, at a county



Family Photo  
1900





*Sir Richard Graham*  
c. 1629

*from the picture in the possession of Sir Richard Graham of Airthrey*



election in 1768, in inflicting a signal defeat on the Tories of Cumberland. He lived, however, on kindly terms with all his neighbours.

‘His genial temper,’ writes Mr. Torrens,<sup>1</sup> from local information, ‘preserved to him the friendship of those from whom he most widely and warmly differed in politics; and his genuine liberality in matters of belief won him the confidence and affection of men of all persuasions. The adhesion of such a man to the “Blues” in the county, apart from his large territorial influence, would have been counted a great gain, and, heading as he did a numerous body of freeholders, it went far towards counterbalancing the previously preponderating power of the house of Lowther.’

Soon after Dr. Graham’s death, in 1782, the Whigs, coming into power, marked their sense of his services to the party by hastening to bestow a baronetcy on his son.

This son, the first Sir James Graham, was educated at Oxford, and in his twenty-second year succeeded to Netherby, with a good fortune. He sat in three Parliaments (1798—1807) for Ripon, taking little part in debate. In politics, after the French Revolution, when the Whig party went to pieces, as a young man, following Pitt, he became a Tory with some liberal leanings.

In 1785 he married Lady Catherine Stewart, eldest daughter of the Earl of Galloway; and, after several daughters, on June 1, 1792, was born their eldest son, James Robert George, so named after his father, his grandfather, and Sir George of Esk. Lady Catherine was tall, with expressive features and commanding presence, in which her son took after her. She stood

<sup>1</sup> *Life of Sir James Graham*, i. 32.



in exceptional repute for active beneficence and Christian character. As a friend of William Wilberforce—who esteemed her highly<sup>1</sup>—and a disciple of Isaac Milner—once an eminent Cambridge Professor, Head of his College, and Vice-Chancellor of the University, afterwards as Dean of Carlisle an effective preacher—she shared their evangelical principles, and laboured to impress them on her children. Her precepts, her example, and her prayers were regarded by her son as the chief influence—amid temptations of gay society, seductive pleasures, and worldly ambition—that turned his thoughts to higher things, and first implanted in his mind fixed principles of duty and religion. Her letters to him have not been kept, but frequent references to them show the effect they had upon his character and course through life.

To his father he writes in 1814 :

Amidst every change of circumstance and place, I regard my dear mother as the source of all the best qualities I possess.

And again :

Tell her that to please her—sometimes to be worthy of her—is my greatest joy and pride. All that is good in me, all that others praise, I have derived from her. All that is bad I acquired when away from her. She made me what I am.

His father also, without accepting all Lady Catherine's rules of life, was at one with her on the importance of religious education. This appears in a letter to the Rev. Jonathan Boucher, in his day a man of mark. Son of a small landowner in Cumberland, he had early settled

<sup>1</sup> 'How amiable is the simple childlike spirit of Lady Catherine Graham!'—*Wilberforce's Life*, ii. 359.

as a teacher in the colony of Virginia, and there formed a close alliance with George Washington, who entrusted his stepson to his charge. On the outbreak of the Revolution, however, Mr. Boucher, taking the Royalist side, returned to England, where, as Rector of Epsom, he became a well-known preacher. To him Sir James Graham writes :

Lady Catherine and I hope that you will let us have the pleasure of seeing you at Netherby, and we should then trouble you with several questions relative to our boy, who is now about five years old, and upon whose education I must have good advice. I know no one I should listen to upon this very important subject with greater attention than to you.

Our wish is to give him as good and as proper an education as he can receive, and to make him a good man and useful member of society. And by the word 'good' I mean a religious man—a point I am convinced should be attended to in preference to all others.

Whether by Mr. Boucher's advice or not, when the boy left home he went first to the neighbouring village of Dalston, where, with his brother, and a cousin, Lord Glamorgan—afterwards Marquis of Worcester and Duke of Beaufort—he learnt Latin and Greek from the Rev. Walter Fletcher, Chancellor of the Diocese of Carlisle. The high tone of the instruction, moral and religious, imparted by this his first preceptor, and its practical effect, stand recorded by Sir James Graham himself.

*To Mrs. Fletcher*

WHITEHALL, April 4, 1846.

Having had the happiness and great advantage of living as an inmate in your family for several years, no one knows so well as I do the exemplary merits of your late husband, or can so justly appreciate his inestimable

worth. With some knowledge of mankind, I can truly say that I regard him as one of the best and most blameless men I ever knew.

I owe to him very great and eternal obligations. The principles which he inculcated were the purest, and his own never-failing example proved that a sincere Christian may so live on earth as to have God and his duty constantly in view.

To the last hour of my life I shall cherish his memory with affection and respect. Once again I thank you for the care and the admirable instruction which I received in the happy parsonage at Dalston.

A lady who remembered young Graham at this date writes : ' He was then a very handsome boy, tall for his age, and intelligent-looking.' His tutor thought highly of his powers, took a father's interest in forming his character, and used to warn him especially against unsteadiness in resolutions, quoting to him the text, ' Unstable as water, thou shalt not excel.'

But he was at that time a mere child. Before he was twelve years old, following in the steps of his kinsman Lord Preston and of his grandfather Dr. Graham, he passed on to the public school of Westminster.

What Westminster was like in those days for a small boy stands noted in a journal kept by Lord John Russell,<sup>1</sup> who was given to chronicling details of his daily life. Lord John was younger by a few weeks than Graham, who counted him a schoolfellow, but cannot have seen much of him at Westminster, where Russell did not stay twelve months. Graham remained six years, became intimate there with the best Latin writers, construing them fluently into good English, and found lasting delight in Homer. He valued the privilege allowed to elder boys of attending debates in Parliament, and in later life

<sup>1</sup> See Walpole's *Life of Lord John Russell*.

recalled with pleasure speeches that he had so heard. Then, as now, the boys attended service in the Abbey. What more was done for their religious training he does not record. But his early habits of manly independence he attributed chiefly to the wholesome discipline of a public school.

While he was still a boy in years a guest at Netherby thus describes him :

*Mr. William Cunningham to Lord Grenville*

NETHERBY, *September 5, 1809.*

I am now at Sir James Graham's—you may remember him at Magdalen College. I am not sure that we three did not go up the water once.

His son James is a very fine young man indeed ; finest dispositions, and clever, and—what will be no blemish in your eyes—loves Greek. We had down Thucydides in the library here, at a passage he is very fond of, Book iii. 82. There is one part of it which, among a number of noble observations, I think will strike you as applying to French affairs in Robespierre's time.

On leaving Westminster in 1809 Graham went to prepare for the University with private tutors.

One of these, the Rev. George Richards, Vicar of Bampton in Berkshire, had been Fellow of Oriel, and had won the three University prizes—for Latin Verse, English Essay, and English Verse. To this it may have been due that his aspiring pupil tried his hand at English Verse, but did not get so far as to send in his poem for the prize. A more lasting influence of his tutor's superintendence in composition may perhaps be traced in the style—ambitious, but correct and fluent—of his early letters to his father. Those that remain, however, are dated not from Bampton, but from a village in the adjoining county of Buckingham, where another tutor

taught him mathematics. The letters show, for a lad of seventeen, unusual interest in politics, as well as in family affairs. Examples follow :

POTTERSPURY, STONY STRATFORD, *March 20, 1810.*

By habit my situation here improves upon me. I like the worthy old philosopher exceedingly, and entertain hopes that the plan will not be abortive. Mr. Hellins pays great attention, and is very desirous of affording me every possible assistance.

Your report of lawyers' opinions [as regards a Chancery suit with Sir Robert Graham of Esk, who had laid claim to part of the estates] is very favourable, and I by no means fear. The cause will be decided, I think, not by Lord Eldon, but by Mr. Perceval. The latter I know has always looked up to the Chancellorship as the first object of his ambition, and now it is stated that he is to fill that distinguished place, while Lord Wellesley removes to the head of the Treasury, and Canning resumes his seat at the Foreign Office.<sup>1</sup> This arrangement appears highly probable ; but the Administration seems tottering to a fall. Lord Sidmouth is determined to keep himself out, whoever may come in, by dissenting frivolously from all. This surely is hard in the extreme upon his friends.

As the time drew near for entering on University life, he thanks his father for the advantages he has enjoyed.

*May 6.*—I cannot express to you my gratitude for the readiness with which you adopted a plan [his return to his mathematical tutor] necessarily productive of considerable inconvenience. It is an additional proof of that disinterested liberality which prompts you to disregard both money difficulties and trouble when the welfare of your children is concerned.

I have given up the idea of sending in my copy of verses with a kind of parental regret. It is certainly a disappointment, but the exercise has been useful.

<sup>1</sup> In the event Perceval became Prime Minister, Canning refused to serve under him, and Wellesley took the Foreign Office ; Sidmouth remained out.

I shall write to Goodenough<sup>1</sup> in two or three days, and you may depend on hearing the contents of his letter.

May 27, 1810.—I will go directly to the King's Arms [Oxford], and order dinner, beds, etc. I perfectly agree with you in wishing to have the evening entirely to ourselves. We shall have much to talk over and much to settle; besides, it will be infinitely more comfortable.

I am much obliged to my dear mother for her post-script. To have risen in her opinion is indeed a blessing; but it is cruel to raise expectations which I fear it will be my lot to disappoint.

The impression left on his mathematical tutor seems to have been satisfactory, for Mr. Hellins writes :

As you employed your great abilities with assiduity and good humour while you were here, I shall rejoice to hear of your welfare. I trust you will always remember that College is a place of study, not of amusement.

Unfortunately Graham did not bear this enough in mind.

Before his arrival at the University, Goodenough had written to his father :

I am truly rejoiced to find that the Dean intends to put your boy under my care. From what I personally know of James, and from what I have heard of him from every quarter, I shall be very much disappointed if he does not do both himself and us much credit in this place.

But it was not at Oxford that Graham was to make his mark. He did not work hard, nor were his abilities and acquirements tested by any University examination.

One of his contemporaries used to say 'he was best in algebra and in all arithmetical calculations.' Another recalled his construing of Aristotle's *Rhetoric*, 'a book

<sup>1</sup> Rev. E. Goodenough, a tutor of Christ Church, afterwards Head Master of Westminster, and, partly by Graham's influence, Dean of Wells.

not read by idle men.' He was remembered also as good at quoting from the classics, and severe on other men's blunders.

With these exceptions, he seems to have left a reputation not much differing from that of most gentlemen commoners. He had his private servant, kept horses, rode to hounds, and generally enjoyed life with his undergraduate comrades. He thus describes their latest welcome to him in Oxford :

Next to returning home, no pleasure I ever experienced can be compared to arrival here. So many faces evidently showing pleasure at once more meeting, so many hands extended to greet you with all the ardour of youthful and sincere friendship. Perhaps I may feel this more strongly as I remember that it is the last time.

In another letter he admits : ' I did not deserve well of Christ Church, from my idleness.'

As regards religious education, once in the House of Commons he described the discipline in his time of Christ Church :

I was never once called upon to attend any lectures either upon theology or divinity ; I never received any religious instruction whatever, apart from that which I derived from the enforced attendance at chapel ; and I am ashamed to say that I never during the whole period of my residence heard a single sermon.

In 1823 Mr. Graham wrote for the guidance of his little son, in case he should be left an orphan :

I wish that my son should go to Christ Church ; and let him remember that at College the temptations to idleness are many, and the restraints but few ; yet time there lost can never be regained, and his own father never ceased in after life to deplore the opportunities of improvement which at Oxford were thrown away by him.

In 1839, addressing the students of Glasgow University as their Lord Rector, he confessed :

From my own experience I can tell you that the waste of time in a college life is an irreparable loss, ever visited with the bitterest pang which memory inflicts, when

She tells of time misspent, of moments lost,  
Of fair occasions gone for ever by.

Thus for two years (1810-12) James Graham spent his terms, not too industriously, at Christ Church, and his vacations at Netherby, where sport was always to the fore. His last Christmas holidays he prolonged by a visit to Goldsborough Hall in the West Riding, where his father's friend, Mr. Starkey, renowned for unlimited hospitalities in the hunting season, thus describes his guest :

My dear young friend is perfectly well, and the delight of us all. He has a most affectionate heart, and dearly loves the inhabitants of Netherby. There all his warmest passions centre. We have junketed about famously, so that the neighbourhood is pretty well known to him. We have capital sport. He has had only one fall, and no hurt.

While thus improving his horsemanship in Yorkshire, young Graham was planning to cut short his stay in Oxford. Till then his education had been suited to the end he had in view, success in Parliament. Now, he did not see that further University studies, or a degree, would serve his purpose. What he desired was knowledge of men, to be obtained by travel. This plan his father, always generous in what concerned his son's pursuits, was ready to adopt ; and the authorities of Christ Church, knowing that his opportunities there were not being turned to much account, had no wish to detain him.



*Mr. Graham to his Father*GOLDSBRO', *February 5, 1812.*

I enclose a letter from the Dean, and I am anxious to receive your opinion upon it, as by your advice I shall direct my proceedings.

It is to me sufficiently apparent that at all events he does not wish me to return till after Easter, and then in my opinion it would not be eligible. I am of opinion that the sooner our arrangements are conveniently made the better, and me despatched to foreign climes.

His father suggesting reasons for delay, the son replies :

I bow to your opinions, and have written that on Monday I shall be in Oxford. Before Easter I hope you will be in town, where with the most heartfelt pleasure I shall join you, and expedite the business. As soon as it is concluded I press for my departure ; not that I am anxious to leave behind me all that I love, but because I am persuaded that I can do nothing else which can equally contribute to my advancement and improvement.

I purpose canvassing the measure most completely with my friend the Dean.

The Dean—in spite of idleness his ‘ friend ’—and ‘ all the seniors with whom he was acquainted ’ approved of his going abroad at once, without a degree ; and so at the age of twenty Graham passed from academic training to the great school of the world.

His travels and sojourn in Portugal, Spain, Sicily, Italy, and Austria became, as he designed, a chief part of his training for public life ; and his experiences, extending over two years of the arduous struggle with Napoleon, and six months of the respite gained by the great conqueror’s seclusion in Elba, present interesting glimpses of English society in those days on the continent of Europe.

Well introduced, and by his good looks, easy manners, and frank response to kindness, as much as by his social prospects, fitted to conciliate good-will, he seems to have made everywhere the best impressions ; and ere long his brightness, zeal, and willingness to face hard work, whether in saddle or on office stool, with happy chances promptly seized, advanced him to important missions, for which he received the thanks of Castlereagh and Aberdeen.

His letters show much warmth of family affection, disclosing thoughts and feelings with a freedom found more often in the pages of a private diary than in a young man's confidences to his father. Without violating the reserve due to such communications, enough may be given to convey some notion of his assiduous loving intercourse with home, his devotion to friends, his early political inclinations—his scorn for a weak Tory Government, his youthful zeal for liberty and reforms.

It may be noted also how, even in the spring of life, when all seemed full of budding hopes, he was at times haunted by strange moods of depression, with an overmastering sense of the emptiness and transient interest of mundane objects of pursuit—a marked feature of his character to the end.

#### *To his Father*

LISBON, *June 27, 1812.*

I left England on the night of the twelfth. It was a delightful evening, and for a day or two the weather was singularly fine ; but after that the winds became contrary and violent, and for six days we were perpetually tossing about in the Bay of Biscay, without making any considerable progress. I am, however, a famous sailor, and was never sick. Being also very fond of sailing, I found great amusement in the management of the ship. We

arrived here on the twenty-fourth, after a tedious passage.

I have experienced the greatest kindness from Mr. Stewart [the British Minister] and Admiral Berkeley, with one of whom I dine every day. An old friend of mine is secretary to Mr. Stewart, and through him I have become acquainted with most of the English and the best Portuguese families here.

I am in a very nice small lodging, close to the Admiral's house, with a beautiful prospect of the Tagus and the hills on the opposite shore. Lisbon itself is dirty to a degree surpassing description; but its magnificent situation, commanding at once a view of the sea and of a splendid river, together with a charming climate, compensates for many grievous inconveniences.<sup>1</sup>

Before I can move on into the interior, I must await the arrival of my saddles from Falmouth. I took them myself to the Custom House, which they regularly passed. However, in the middle of the night the officers came on board, after we had sailed, and among some contraband goods belonging to the sailors by mistake carried off the box containing all my horse apparatus.

Its loss would be irreparable, for here you can obtain nothing of the kind, and a ride through Spain on a Don Quixote saddle, which actually is the one still in use here, is more adapted for the sunburnt skins of the natives than for the leather of Englishmen.

While I have been writing this the new Admiral, Martin, is arrived, and from him I hear of the triumph of my Lord Liverpool over the consistency and wisdom of Parliament. The end of these events<sup>2</sup> will not be less extraordinary, I should think, than the events themselves. But let them take their course.

Great doings are expected in this quarter. Lord Wellington has advanced to Salamanca, and Marmont

<sup>1</sup> 'I think it is the most disagreeable town I ever saw.'—LORD JOHN RUSSELL.

<sup>2</sup> The assassination of the Prime Minister, Perceval; sundry failures of the more liberal statesmen who tried to form a Cabinet; and ultimately the reconstruction of the old Tory Government under Lord Liverpool, to last for fifteen years.

was within a league and a half of him. An engagement before long is thought most probable.

You may rely on hearing from me by every opportunity. I begin already to find that as home becomes more distant it becomes also infinitely more precious.

*July 9.*—I have been passing my time pleasantly enough. I have experienced every kindness from Mr. Stewart, Admiral Berkeley, and indeed all the English here. I have lived principally with the former, have gone about with him to all the Portuguese parties, and in short have seen a sufficiency of Lisbon society.

The departure of Admiral Berkeley and all his family, in whom I delight, for England yesterday has created such a gap in society here that it has lost all its charms; and, as I am not likely to fall in love with any of the Portuguese I have yet seen, I think it probable that in a fortnight I shall sail for Cadiz.

I send this to Netherby, judging from your good taste that in the middle of July you must prefer the charms and beauties of that dear place to the heat and noise of London.

On the twelfth of August, when I awake, I shall not fail to think of you and old Thomas bestriding your ponies and starting for the moors. By-the-by, the other day at sea I made a capital shot, killing a seagull at forty yards with a single ball.

Pray from time to time let me hear of all the fun you are having at dear old Netherby, and any news either as to public or domestic politics that you can send me. You cannot conceive how every trifle interests at so great a distance.

On July 19 Mr. Graham describes an excursion inland :

The roads are impassable to everything but mules, and I performed the whole journey on the back of one of these animals. Notwithstanding all difficulties and *désagréments*, upon the whole, I was repaid by the beauty and novelty of the scenery, by visiting the sites of the battles of Vimieiro and Frolica, and by seeing the spot where before long our stand must be made against Marmont's army.

Acknowledging his election to the best Whig Club (Brooks's), he adds :

I was not aware that this honour was so near at hand ; but I fancy Lord Cawdor and Lord Morpeth have been so kind as to forward it of their own accord.

A week later he announces his intention to proceed to Cadiz.

The gaities of Lisbon are by no means numerous. They consist chiefly of operas and balls, at which they make all unhappy Englishmen dance without ceasing.

I have seen a good deal of the southern parts of Portugal. There are plenty of partridges, but from the extreme heat I have never once been tempted to take my gun. I intend some day to try my powers with a ball at the wild boar, while you, I hope, and Starkey will be enjoying all the pleasures of Christenbury and the grouse.

I may be detained here for some time longer. The bombardment of Cadiz is at present carried on with considerable warmth and effort, and, even as a quiet spectator, to be blown up with a shell would be at once absurd and unpleasant.

With regard to politics, absence has somewhat abated my zeal. I shall, however, be anxious to hear what is the chance of a speedy dissolution, and what course you intend to pursue.

These are important times, and I should like to live and see how all these things will end.

*August 2.*—The ship which takes this home is also the bearer of the most glorious intelligence from our army here [at Salamanca]. The results will be, I think, more decisive than the victory itself. The probable effect will be to raise the siege of Cadiz, or, at all events, to clear both the north and eastern coasts of Spain entirely of French troops.

From Cadiz, as soon as I have obtained sufficient knowledge of the language, I propose travelling, if indeed any road be passable, into the heart of Spain. Of Portugal I am altogether tired.

I flatter myself that I have been a very tolerable

correspondent, as I never hitherto have omitted a single opportunity of letting you hear from me.

*August 12, Cadiz.*—The Admiral sending his tender with despatches, and offering me a passage, I seized the opportunity, and arrived here in the short space of forty-eight hours. I carried the details of the victory of Salamanca from Mr. Stewart to Sir Henry Wellesley,<sup>1</sup> who received me with the utmost kindness, and even has ordered me to consider myself as an inmate of his family. Accordingly, I dine there every day, and pass the greatest part of my time in his home.

I have here a delightful lodging within a stone's-throw of the sea at the entrance to the harbour. The French are on the opposite side, within about three miles, and with a glass I can see all their movements. They bombard the town about three times in every twenty-four hours, but though they throw a good many shells into the centre of the city, they do comparatively little harm. The night before last a thirteen-inch one came into Sir Henry's house, but fortunately no one was hurt.

It is impossible for the French to carry this place with less than thirty thousand men, and at present there are not above six thousand in their lines. The battle of Salamanca has raised the drooping spirits of the Spaniards, increased their confidence in the English, and added more vigour to their own paralysed exertions. But we, on the other hand, should abandon our half-measures, strain every nerve to reinforce Lord Wellington, and put a happy end to the Spanish war before Bonaparte can conclude the Russian. This, alas! is now out of the question, for promptitude and energy are requisite; and can we hope to find these necessary qualities in 'a Household Administration'?

This is a gala day; being the Prince's birthday, Sir Henry gives a grand dinner, and all the ships in the harbour are firing. I hope you are firing your *feu de joie* on the moors, where I had rather be with you, and eating a cold dinner on Black Lyne, than feasting here with Ministers and Regents.

<sup>1</sup> Afterwards Lord Cowley. At this time successor to his brother Marquis Wellesley as British Ambassador in Spain.

*August 29, Cadiz.*—Very material changes have taken place. The siege of this town was raised on Tuesday last, Seville is in the hands of the British, and the French have abandoned Andalusia.

I was fortunate enough to foresee this result as highly probable from the battle of Salamanca. I therefore hastened here, and had the pleasure of seeing the French break up from their lines, blow up all their works, and evacuate their strong position. I was myself in their former headquarters only five hours after their rear-guard had left.

Any attempt to describe the joy of the Spaniards here, at being liberated from a bombardment which had lasted two years, would be superfluous. It is at moments like these that one is justly proud of being born an Englishman, when at every corner of the street you hear blessings showered on your head, and *vivas* for your native country.

There is a dreadful battle still impending. The event is always doubtful; but there can be no room for despondency when British troops under Lord Wellington are opposed to a French force, however great.

*September 10.*—Sir Henry Wellesley is the kindest and best friend I ever met with. I have lived here now entirely with him for near six weeks, and a more happy time I never spent. I shall leave Cadiz with the utmost regret, as it is the most beautiful and pleasant town I ever stayed in.

My sisters are famous correspondents, and I am very much indebted to them for their invaluable letters. They need never be afraid of my thinking them dull, written by their hands, and coming from Netherby.

The Cortes at this time sat in Cadiz, and Mr. Graham made progress in the Spanish tongue, and at the same time confirmed his Liberal tendencies by frequent attendance at their debates, where he admired especially the animated eloquence of the patriot leader Arguellas.<sup>1</sup>

<sup>1</sup> 'He described to me the debates as most interesting, saying that no speeches had ever delighted him more than those of the celebrated Augustin Arguellas.'—SIR DENIS LE MARCHANT: *Memoir of Viscount Althorp*, p. 241.

But soon a restless spirit moved him to extend his travels.

*October 1.*—On Monday I propose leaving this place on a tour throughout Spain, and you will be happy to hear that I have got a *compagnon de voyage* whom I altogether approve of, Henry Wynn, a brother of Sir Watkin. The whole of the journey must be performed on horseback.

And now, my dear father, you must not be alarmed at the absence of intelligence from me for some time. In the present disturbed state of the interior, communication with the coast is often interrupted. I am in perfect health, and in very high spirits at the thought of this excursion, which promises to show me all I have so long wished to see. Your dear long letter afforded me the most heartfelt pleasure, and almost the only annoyance I feel in leaving this place is that my correspondence with home must for a short time be cut off.

May God preserve and bless you, and grant me to see you once again, is my constant prayer.

*October 26, 1812, Madrid.*—After a very long but pleasant journey I arrived here, and found the larger part of the army quartered around, and the French in force only a few leagues distant. A general engagement is thought most probable, and Lord Wellington is expected to return here from the north almost every moment. It is a most interesting crisis, as Soult has avowed his intention of recovering Madrid, which will not be resigned without a battle.

All the country which about ten days ago we travelled over is now in possession of the enemy. We timed our departure from Cadiz with good fortune, as we have contrived to see all the finest towns, and now are on the spot where I think the issue of the campaign will be decided.

Turning to home politics, he adds :

I see that a dissolution of Parliament has already taken place. I shall be anxious to hear from you the movements in Cumberland, which I suppose will as usual be directed



by our lord and master [Lord Lonsdale] with all his accustomed disregard for the wishes or interests of the county. Lord Morpeth, I imagine, he cannot have displaced; for I hope never to see the time when the house of Lowther can return two members for a county which from its size has every right to independence.

I wish you would send me Carlisle journals with any particulars. Every wish of yours is near to my heart, therefore if you have any desire to sit in Parliament I hope to see your name as returned.

I find the transports of my ambition already moderating, and I own I am almost indifferent on the subject as to myself, more particularly at a moment when all parties appear so much disorganised.

The next letter records Soult's fulfilment of his intention to retake Madrid. Graham, beating a hasty retreat from that capital, which the French entered two days after he left it, arrived safely at Lisbon, after a long but interesting journey.

Not till the new year did he find time fully to describe the tour in Spain. After visiting Seville in October, he and Wynn had ridden near four hundred miles to Aranjuez, then the headquarters of Sir N. Wills's army, where they were hospitably received.

He invited us to his house, and here, for the first time, I saw a large army in the field, and passed amidst these novel scenes three or four days most agreeably. After this we visited Toledo, formerly the metropolis, and a very fine town, and arrived in Madrid on the 23rd of October.

There I found my old friend Worcester,<sup>1</sup> with whom I lived very happily in one of the houses attached to the palace, for ten days enjoyed the society of the flower of the British army, and was perfectly delighted with the splendour of the most beautiful city I ever saw.

Lord Wellington's unexpected order for the evacuation of this unhappy place drove us away at a moment's

<sup>1</sup> A cousin and fellow pupil at Dalston.

notice, and by the kind aid of Worcester we found our way through various hardships to Salamanca.

At a juncture like this I determined to forego the pleasure of seeing Lord Wellington, although I was then within six leagues of him, knowing almost all his personal staff, an uncle at headquarters, and a letter—the best possible—for Wellington from his brother in my pocket. But my horror of being an amateur—a character with an army I do not like—and in a moment of danger the fear of being *de trop* combined to determine me to go on. Thus I was saved from implication in the miseries of a disastrous retreat, in which Sir Edmund Paget was taken prisoner, and the greatest privations endured by the army.

Wynn and I traversed the whole north of Portugal—the past and present scene of actions never to be forgotten—and reached Oporto on November 13. I proceeded by land through the finest tract of country in the Peninsula, visiting all places of renown, to my old abode at Lisbon. There I remained for a fortnight with my friend whom I most esteem, Sir Charles Stewart. Then, with Lord Bayning and Dashwood, I came by land through Elvas and Badajoz to Seville, where they remained, and I came post to this dear place [Cadiz], arriving on Christmas Day, and keeping an old engagement to dine with Sir Henry.

I have been recompensed for my forbearance, and have seen Lord Wellington daily, with advantages I never could have had in any other place. He is still here, and will remain for some days longer.

He has greatly surpassed the high idea I had formed of him, and is in short everything one can look for in a hero, a statesman, and a Wellesley.

We have nothing but grand balls and dinners daily, and this town is more delightful, if possible, than ever. There are a good many English here, Fitzroy Somerset, Lord John Russell, etc., and the very best of all, Sir Henry himself.

I have seen in six months more of Spain and Portugal than most men, and by the acquaintances I have formed, and the advantages I have already gained, I have derived a benefit from going abroad which I hope will be permanent in its effects.

I expect to reach Palermo in May. Lord William Bentinck<sup>1</sup> will not be there himself, as he is going to command the army of Alicante [in Spain], but his Secretary of Embassy, F. Lamb,<sup>2</sup> will be left there, and if you can get me any good letters of introduction to him I shall be very much obliged.

I now have exhausted the subject of self, which long before now would have wearied any father but you.

The rest of a long letter refers to politics in Cumberland, and gives proof of early forethought.

On the subject of elections, so far as my humble opinion goes, your conduct appears to have been marked with the utmost discretion. Your proposing Lord Morpeth [the Whig candidate] is the very thing of all others I could most have wished, and your giving one of your free-man's votes to Sir James [Lowther] proper enough, because Lord Lonsdale must ever return one member for Carlisle, never, I hope, two.

As to what Mr. Howard, or any other person, may have said relatively to me, it must have arisen from the knowledge of my political principles, which I have never been careful to conceal.

At all events, my dear father, you are able by my affection for you to control in me the warmth of ambition. The hopes of acting on any stage, even the greatest, should not induce me to act against you; and unless the time arrives when we happily coincide in our ideas on general questions, I have made up my mind not even to wish for a seat in Parliament.

I cannot help thinking that what Mr. Howard says as to your accepting a seat at the hands of Lord Lonsdale is more or less insidious. Rely upon it, it is much wished to see you commit your independence. This is your vantage-ground, and foreseeing that you will some day stand for the county, your enemies are anxious to entice you from it, and in its relinquishment they must ultimately triumph.

You and I can only succeed by standing aloof from

<sup>1</sup> Afterwards the well-known Governor-General of India; at this time Ambassador to Ferdinand, King of the two Sicilies.

<sup>2</sup> Afterwards Lord Beauvale, brother of Lord Melbourne, and his successor in that title.

all parties, and coming forward uninfluenced, unbiassed, and uncorrupted, without previous concert, or the connivance of Lord Lowther or any other peer.

For myself, removed from the scene of action and its attendant heat, my ardour is considerably abated, the strength of my political creed is confirmed, and I am more anxious for the present to fit myself for serving with honour than immediately to begin to serve my country.

Add to this, what the ripeness of judgment might make one forget, that the writer wanted still six months of being of age. But a similar disqualification did not prevent his junior schoolfellow, Lord John Russell, from being returned this year for the family borough of Tavistock.

As regards travelling expenses, Mr. Graham notes that he has lived for six months on his father's handsome allowance of £1,000 a year, but, he says :

The exchange is now near twenty per cent. against the drawer, and the travelling as expensive as a chaise and pair in England with good inns, while here you ride on a mule, and almost starve at a *posada*. Such are the effects of the present war.

At the close of the letter he refers with feeling to his mother's prayers, and adds : 'She never is forgotten ; her precepts, alas ! too often.'

Two days after Wellington's leaving Cadiz, Mr. Graham resolved to encroach no further on the hospitality of friends there, and finding that General Nugent, a British officer distinguished with the Austrian armies, was hastening to join Lord William Bentinck, arranged to travel with him. To Gibraltar they made their way across the mountains ; from thence, to avoid the French, Graham obtained a passage in a frigate, the *Rainbow*. At Port Mahon he found the British fleet, and spent three days on board the *Prince of Wales* with Captain Douglas,

under whom his young brother was serving with approval. 'The old man,' he writes, 'seems quite fond of Charles, and has, I am sure, his interests at heart.' After negotiating for his brother's transfer to a ship in which he would see more service, Mr. Graham went on by sea to Cagliari, where he heard of the loss of his dearest friend.

You may imagine [he writes] the horror with which I was filled when unexpectedly in a French newspaper I found an account of the death of my dear Tyrconnell. . . . Of all men I ever knew I loved him best.

From Cagliari Graham sailed to Palermo, where, on coming of age, he was to join in a resettlement of the family estates. On that subject he writes :

The period has at length nearly arrived when it was expected you would be enabled more or less to relieve yourself from a load with which you have been too long burdened. But accidental circumstances, it appears, will render precarious the possibility of obtaining a loan.

After much reflection, I have determined on giving you an additional proof of my solicitude to promote, so far as in me lies, your convenience and peace of mind. As soon as the papers arrive, I will perform my part by cutting off the entail ; but I beg that the conditions on which I undertook to do it may be considered, so far as they are advantageous to myself, as null and void. If, with uncontrolled power over the estate, you can make arrangements more useful to your family or more agreeable to yourself, make them—in the name of your love for me, I entreat—without regard to me. Use this power as you and our friends may think best ; and if all other resources fail, I even consent—sooner than you should any more labour under difficulties—to the sale of such a portion as may be deemed expedient.

Happily, such a sacrifice was not required.

## CHAPTER II

1813-14

Graham arrives in Sicily—Becomes Private Secretary, first to Lord Montgomerie, then to Lord William Bentinck—Soldier and Aide-de-camp—Mission to Headquarters in Italy—Negotiates Armistice with Murat—Approved by Castlereagh—Congress of Vienna—Return to England.

SO far Graham had spent twelve months abroad, combining amusement with no more set purpose than to prepare for public life by visiting foreign countries and gaining knowledge of mankind. But now on arrival in Sicily he began to learn the truth that 'Blessed is the man who has found his work.'<sup>1</sup>

PALERMO, *June 1, 1813.*

Lord William Bentinck sailed on the 27th to take command of the army at Alicante. Lord Montgomerie is left as acting minister here. I am employed as his private secretary, and on this auspicious day [the writer's twenty-first birthday] I have commenced my duties as a young diplomatist. I am pretty well occupied for seven or eight hours every day. This species of employment suits my taste, and is a positive amusement to me. As giving me the habits at least of business, I hope it may prove highly advantageous.

*June 22.*—I am as happy as it is possible to conceive me. I live with Lord Montgomerie at a very pretty villa about two miles from the town. At ten in the morning I come into the office, and am generally very busily employed till about five in the evening. This

<sup>1</sup> A saying of Dr. Cotton, Head Master of Marlborough, afterwards Bishop of Calcutta.

employment being all political, you may imagine how cheerfully and how warmly I enter into it. I then return to dinner, and the rest of the day is passed in riding, balls, operas, etc., with which the time never appears long.

I flatter myself that this summer will be of lasting use to me. For, besides acquiring the forms and habits of business, I have the advantage of enlarging my present humble stock of political information, learning the hidden mysteries of diplomacy, and gratifying my curiosity as to several transactions of the last year.

The private papers sent out for Mr. Graham's signature on coming of age were of a generous character, as appears from a letter showing perfect mutual confidence between son and father.

PALERMO, *July 25.*

Even after the execution of these deeds I shall ever be most anxious to adopt any plan which may be deemed more expedient than the present, my only wish being to do what may most promote the interests of yourself and your family. From you I have no fear of ever hearing that the powers you have in confidence entrusted to me are too ample, or have been abused. I value the faith reposed in me much too highly to violate it. It shall be the study of my life to prove that I deserve it.

The correspondence continues :

*August 7.*—My time and thoughts are occupied almost exclusively by Sicilian politics, which are by no means prospering. I am thus early beginning to learn the useful lesson of disappointment, in the school of diplomacy.

But in addition to public failures, I have also met with a private loss in the glorious fall of poor Henry Cadogan, whom I became very well acquainted with in Spain, and regarded most particularly. Those we like best seem to die soonest ; but my sorrow for him is almost overwhelmed by my exultation in his honourable death, and who would not gladly share his fate, to participate in his fame ?

After he had been removed from the field of battle severely wounded, and when he found he was about to die, he asked to be carried out of the house where he had been laid, and with his closing eyes had the last proud pleasure of surveying the advance of the British army amidst the acclamations of victory. He was one of the noblest creatures I ever saw, and he happily combined the most enthusiastic courage with the most tender heart. My pity for his unhappy relatives is extreme ; but I exult in his glory.

I have written to W. Stewart, a kindred spirit, under whose orders he was fighting, and I doubt not I shall receive from him some consolatory tidings, which may pour balm into the bleeding hearts of his unhappy sisters.

I continue to live most happily with the Montgomeries. We agree to admiration ; and I flatter myself that I have become of considerable use. I have no time to be melancholy, for nothing dissipates sorrow so much as regular occupation. But when tired, I constantly refresh myself with the recollection of home and you.

*September 6.*—My diplomatic honours are still in bloom, and owing to the illness of Lord Montgomerie, and a rheumatic fever with which Smith, the Secretary of Legation, has been attacked, the greater part of the business has of late fallen on me.

I like the employment amazingly, and do not remember ever to have been happier. My zeal in the service increases so rapidly that I shall resign my employment with regret, and I really believe I must become a place-hunter ; for at this moment nothing would give me greater pleasure than being permanently attached to some mission on the Continent under a man I liked. In short, I prefer this line to Parliament, or politics at home, and am resolved for a time to engage in it. Appointments or salaries of course I do not care for ; but my desire is to be officially and confidentially attached to some Embassy at a continental Court.

My present intention is in the winter to return to Spain ; and I should not be surprised if, failing all other occupation, I joined my friend Sir Charles Stewart at Lisbon, and filled with him the situation which has amused and detained me here.



*September 21.*—Lord William Bentinck is expected here daily, and then Lord Montgomerie ceases to be Minister. I would, however, gladly remain under Lord William in my present situation. It may sound vain, but I flatter myself, that I have gained the good opinion of some of the high authorities of this place. He will, therefore, receive a favourable report of me. Sir Charles Stewart has written me a very kind invitation to join him at Lisbon, but on the whole I prefer Palermo.

He was now to serve a new chief.

*November 9.*—An entire change has taken place since last you heard from me. Lord Montgomerie is no longer here. The climate, the labour, and the anxiety had very near destroyed him, and we persuaded him, more dead than alive, to seek in some other country that first blessing, health.

I thus have lost a home, where I experienced every kindness, and a friend whom I dearly love, and to whom I owe many great obligations. I parted with him, I am sure, to meet no more in this world.

With him, however, my official employments have not ceased; I have changed my master, not my occupation. Lord William Bentinck has been induced to take me as his private secretary, and I consider the day which brought us together as one of the most fortunate of my life. He is altogether a superior character, combines the military with the political, the two great objects of my earthly ambition, and to gain his approbation and esteem would be the pride and honour of my life.

The soldier and statesman thus described was one well fitted to stir the enthusiasm of a beginner in public life, and to confirm and foster in him liberal sentiments.

Lord William Bentinck had entered the army in 1791, before Graham was born, and in 1803 had become Governor of Madras. After four years there he returned to active service in Europe, commanded a brigade at the battle of Corunna, and a division under Sir Arthur

Wellesley in Spain. At present he was Commander-in-chief of a considerable force, and in Sicily for three years practically Governor, nominally Envoy. In this capacity he introduced there constitutional government. Later in life, returning to India, he attained high reputation as Governor of Bengal, and first Governor-General of India (1833-35) under the new Charter. He had the courage to forbid the customary sacrifice of widows at their husbands' funerals—'Suttee'—and was successful in suppressing the murderous practices of the Thugs. He also, with the aid of Macaulay, took in hand the higher education of natives, and by largely employing them in the civil service effected economies that helped him to restore financial prosperity. At the same time he achieved a better settlement of land.

At present on Italian questions his views were in advance of the time, and after a successful expedition in 1814 against Genoa he incurred blame from Castlereagh for proclamations tending to promote Italian unity. In Graham's letters allusions are made to this conflict of policies, in which he naturally sided with Lord William, though in later life he came to regard revolutionary projects in Italy under the auspices of Louis Napoleon with grave distrust.

To his father he writes of his new chief :

Without vanity I think I may pronounce that I stand fair in his opinion ; and why should I conceal from a father that he has expressed himself to Lord Castlereagh most handsomely in my favour, as regards the humble assistance I was enabled to afford to poor Montgomerie ?

I am afraid we shall be tied to this island for some time, but I do not despair of making in the spring an Italian campaign with my tutor in politics, who then will become my leader in arms.

Charles has been making prize money, and I hear the most excellent accounts of the dear boy. He is Duncan's greatest favourite, so much that on no account will he part with him ; and I understand he is beloved by his messmates. I hear from all the captains on the station that there cannot be a more promising youngster.

Mine, as you suppose, is all work and no emolument ; and, when I constantly rejoice in my independence, and confer a benefit instead of receiving one, I do not forget my dear father, to whom I owe this blessing, which through life I hope never to forego.

I am just going to step into a boat, and to embark with Lord William on board the *Edinburgh*. We are going to Catania, Messina, and a visit to the coast, and perhaps may return here in three weeks.

*November 25.*—Your boy has become such a man of business that he now literally cannot find time to write a private letter, even to his dear father, whom he loves as fondly as ever, and will love while life shall last. I feel that I am going on well, that I am improving myself, that, through you, I possess everything I want.

The new year begins with a surprise. The young diplomatist has taken up arms :

*Confidential.*

PALERMO, *January 1, 1814.*

I have not a moment's time to write even you an account of an event which has changed for the present the turn of all my thoughts. . . . I am now a soldier. I this day accepted a commission in the Italian corps, and am appointed aide-de-camp to Lord William Bentinck. His army will take the field immediately, and he is ready to start on an expedition.

For the first two months I shall not accompany him, as he has intrusted me with an important mission to the Continent. I sail in about two hours, and the next letter you receive from me may probably be dated some thousand miles nearer England.

A request is added for three strong serviceable horses and a groom to be sent out from England.

The next letter sets forth his motives for the new departure :

War decides the fate of empires, and I naturally wish to behold the mighty cause in closest action which fixes the destiny of a world. To view this splendid sight as an idle spectator has always seemed to me beneath the character of a man. But Lord William Bentinck, my master in politics, combines also the military character. In ten days from this time he will throw aside his diplomatic occupation, and take the field at the head of his army.

Now, therefore, I must either leave him or accompany him. Leave him I never could, for he has rivalled your kindness, has placed in me a confidence which knows no bounds, and while I can serve him it would be ingratitude and baseness to desert his cause. To accompany him in a civil capacity—a sort of timid volunteer, skulking from danger—revolted my nature, was unworthy of my name. It remained therefore only to go with him as a soldier ; and on his staff I will attend him, hoping in a new profession to lose nothing of his esteem, perhaps to share in his triumph.

An account follows of what had led to his present mission :

About a week ago Lord William Bentinck and I returned from our journey. In the course of this tour, which we performed alone, we naturally were thrown much together, and I happily succeeded in inspiring him with a favourable idea of me, and in gaining his too partial approbation.

He decided to move his whole army without delay. But it was of importance to inform the Allies that the army of Sicily was in motion, and Lord William had reason to believe that with management a person might pass through Italy for this purpose. He kindly selected me for this important mission, and from that time to my embarking not twenty-four hours elapsed. I was put on his staff, secretly came aboard the frigate at night, and immediately made all sail.

If I succeed in getting across Italy to the Adriatic I am to go first to General Nugent [lately his travelling companion], then to the headquarters of the Austrian army opposed to the Viceroy [of Italy, Eugène Beauharnais], and from thence to the Emperors' headquarters. There I am to communicate with Lord Aberdeen, then to return by the way that I came, visiting the Austrian armies, concerting measures, and making the best of my way to Lord William's headquarters, be they where they may.

You will see obviously the secret nature of this letter. The whole of it I would have written to no one but a parent; and therefore I must beg most earnestly you will show it to my mother alone.

P.S.—Let me repeat to you my request for horses and a groom. Being on the staff, it is absolutely necessary to be well mounted, and nothing but English horses are masters of my weight. Starkey, I think, could buy me three good ones in Yorkshire. William Scott will show him the kind of short strong horse best calculated for service.

Charles is Captain Duncan's first of favourites, and everything one could desire. Impérieuse will join Lord William's expedition. Thus you will have two of your boys serving their country on the same spot in different professions.

*January 8.*—Secret. I just have time to tell you that I am going on a mission first to General Bellegarde, commanding the army of Italy, and from thence to the headquarters of the Emperors, which I hope to find in France. I shall not stay long, as I am instructed to return without delay and rejoin Lord William Bentinck, who will then be employed on active service.

VICENZA—HEADQUARTERS OF GENERAL BELLEGARDE

*January*

I arrived here last night after a seven days' journey from Naples, during which time I travelled rapidly. In two hours I return again, and shall rejoin Lord William's army, which I hope to find on the coast.

I was to have gone on to Lord Aberdeen's headquarters of the Emperors; but I have .

back to Lord William with a plan of combined movement, and have consented. It is most probable he will send me again into Germany ; and thus I have more than a sufficient share of travelling before me.

I am hurried beyond measure, and have more to write and to transact than I can manage with the precision I desire. This is intended only to quiet any alarm you may entertain for my safety. Remember about the horses ; the sooner they are ready the better.

Another letter records ten weeks of vigorous action.

H.M.S. 'ABOUKIR,' OFF ELBA,  
March 12, 1814.

I take advantage of the leisure a voyage affords me to give you a brief account of the life I have led since I left Palermo on New Year's Day.

On January 4 I arrived at Naples, and opened a negotiation with Murat for an armistice. Unforeseen difficulties arose, and I found myself involved in a very arduous discussion. To solve my doubts on certain points a journey to Maréchal Bellegarde's army became necessary. On the 8th I quitted Naples, travelled *incognito* through the Roman States, then occupied by the French, and safely joined the Maréchal's army [at Vicenza] about the 16th. On the 18th I set out on my return to Naples, where I arrived on the 25th, and concluded an armistice between Murat and Great Britain, taking in great measure this bold, decisive step on my own responsibility, grounded on the necessity of the case and the information I had received at the Austrian army.

The action taken by Mr. Graham in this affair is made more clear in a report from him to Lord Aberdeen, dated at Naples, January 26, the day after the armistice was signed.

Lord William Bentinck's chief motive, it appears, had been not so much to come to terms with Murat as to contrive for Mr. Graham a passage through the kingdom of Naples, ostensibly with a view to negotiation,

but really in order to convey tidings to Bellegarde and to Lord Aberdeen. He was to apprise them that Lord William was prepared to act on the coast of Italy with twelve thousand men, in any manner and on any point which might be deemed most useful to the common cause. This was lest the Allies should fear that the whole of Murat's army would be turned against them, and so should think it necessary to avert the attack by peace on any terms. If, however, Graham should learn that it was the policy of the British Government to conclude an armistice, he was empowered to do so.

On arriving in Naples, to his surprise he found there the Austrian Minister, Count von Neipperg, who pressed him at once to become party to a treaty (arranged between Austria and Naples on January 15), and to conclude an armistice. But the young envoy was too wary to act upon an Austrian assurance that this was the settled policy of all the Allies ; lest their recent victory at Leipsic might have brought about some change of view. Nor did he yield to von Neipperg's plea of urgent military necessity. 'On this,' he says, 'it would have been worse than folly in me to have presumed to decide.' He pursued his journey therefore to headquarters, where the Austrian Field-Marshal Bellegarde renewed the pressure on him 'with double vigour,' confirming the statement that Lord Aberdeen approved, and urging Graham to return direct to Lord William with the strongest representation of the absolute necessity of an armistice. Graham, however, still held out for instructions from his own people. But when, from an accredited British agent, Sir Robert Wilson, he obtained official information that the proposed treaty was desired by the British Government, the question was completely changed. Learning also from Marshal

Bellegarde that, whether the armistice were concluded or not—a brilliant and instantaneous advance being necessary—he intended in eight days to attack Beaumharnais on the line of the Adige, Graham acted with decision. He reports to Lord Aberdeen :

In reply I resolved at once to take upon myself the responsibility, and I assured Marshal Bellegarde, if he would only suspend his intended advance, that the co-operation of the Neapolitans should not be wanting to render the success perfect. I undertook to hasten my return to Lord William Bentinck, to lay before him the conclusive arguments in order to obtain the co-operation of the British force as well as the Neapolitan, and if the armistice were not signed, I undertook myself to sign it.

I arrived here yesterday morning, and found that Lord William Bentinck was expected here in four days. Nothing, however, had been concluded by his lordship, and the delay even of four-and-twenty hours, which prolonged the inactivity of a great army at a moment like the present, was certainly most pernicious, and might prove fatal to the success of Marshal Bellegarde's operations. Having conferred therefore with Count Neipperg and Count Mier, who were equally convinced with myself of the obvious policy of an immediate arrangement, I proceeded to the Duc de Gallo [Murat's Minister], and happily negotiated the armistice, a copy of which I have the honour to enclose.<sup>1</sup>

I signed it with peculiar satisfaction, because, while it gained my main object of empowering the Austrian Minister to demand the immediate co-operation on the Po of the Neapolitan army, it involves no recognition of title, no question of a political nature.

I had some difficulties to encounter, particularly in obtaining the specific mention, as a primary object of the future treaty, of co-operation in the common cause. In the absence of His Majesty, who is at Rome on his way to join the army, my project was referred to the

<sup>1</sup> For the terms, and good effects, of the armistice, see Colletta's *History of Naples*, ii. 174.



Queen [Caroline Bonaparte]. It has been considerably softened down, but time is precious, and my principal point is secured, while I hope that nothing has been admitted which may prejudice in the least the approaching negotiation.

The bearer of this has also carried a despatch from me to Maréchal Bellegarde.

Unknown to your lordship, I have to apologise for the length of detail into which I have been led, but it is natural that I should desire to state with precision the reasons which led me to adopt a measure perhaps for a young man too daring.

If I might venture to entertain so unreasonable an expectation, I could hope that, in communicating my conduct and this armistice to the British Government, I may receive the auspicious introduction of your lordship's valued approval.

To all which Lord Aberdeen replied :

CHÂTILLON-SUR-SEINE, *February 18, 1814.*

I had the honour of receiving your letter from Lord Castlereagh on his arrival in this town. I understand that his lordship conveys through Lord William Bentinck the expression of his approbation of your conduct ; and I take the liberty of adding (what you may think of much less consequence) my thanks for the very clear and satisfactory statement of your proceedings which you have had the goodness to send me ; as well as my opinion of the judgment and discretion which you have shown when placed in a situation of considerable difficulty and embarrassment.

To his father Graham continues the story :

Lord William Bentinck, whom I kept acquainted with my proceedings, arrived from Palermo on February 3. I had the satisfaction of having my conduct in a very puzzling case on the whole approved by him, and what I had begun he completed.

Our new engagements with Murat having set the army of Sicily at liberty, Lord William resolved to disembark it on the Continent of Italy ; and the arrangement of

this, together with the change in our relations with the Court of Palermo, rendered it requisite to send some person confidentially to communicate with the British Government. As a new mark of Lord William's regard, he most kindly selected me for this purpose.

Accordingly, on February 6, I left Naples for Châtillon, where Lord Castlereagh was conducting negotiations for a general peace. Passing through the Neapolitan and Austrian armies in the north of Italy, and after a most interesting journey, I arrived at Châtillon on the 21st.

I was most kindly received by Lord Castlereagh, spent two days at Congress, and, having concluded my mission with better success than I hoped for, I set out on my return to Lord William. On my arrival at Florence, hearing a report that the British expedition had disembarked at Leghorn, I went to that town. I found no expedition or tidings of Lord William, but fortunately there were two line-of-battle ships in the roads, and I embarked on board one of these with my despatches. We had a very quick passage, and arrived in the Bay of Palermo on the ninth. To my disappointment, however, I ascertained that Lord William and his army had sailed from thence for Leghorn three days before; we had passed each other at sea, and it was necessary to return to the port I had just left. Most fortunately we have had as quick a passage back, and now in a few hours we shall be at anchor once more in Leghorn Roads. The army is disembarked there.

Though, thank God, I never was in better health, a little repose will be very agreeable. From February 6 to March 4 I only lay down on a bed for twelve hours at Châtillon, and for the last nine months I have had great fatigue both of body and mind.

The confidence, however, that has been placed in me is highly gratifying, and I am willing to hope that I have not disgraced it.

The rest of a long letter discusses family politics in Cumberland.

As to Carlisle, it is clearly my idea that we had better not interfere there; it is much too near Netherby.

Moreover, my personal ambition is one day independently and honourably to represent my native county.

My ambition, however, or at least my zeal, is much abated on these points, and nothing remains a strong temptation but the county, which certainly I should be proud to represent, but in my own way; that is, without any collusion of parties or coalition of interests, unpledged as to politics or factions.

A postscript follows :

LEGHORN—HEADQUARTERS OF LORD WILLIAM'S ARMY,  
*March 14.*

We came to anchor yesterday. Our army is landed, but we shall not advance till the second division arrives from Sicily, and reinforcements from Spain. Peace, I expect, will cut short our operations. I am not sorry to have a little rest from my labours.

Lord William Bentinck landed his English and Sicilian troops, carrying a banner on which was inscribed 'Libertà e Indipendenza Italiana,' and marched them from Leghorn to Genoa.<sup>1</sup>

Two months later Graham resumes his pen.

GENOA—HEADQUARTERS OF LORD W BENTINCK'S ARMY,  
*May 10, 1814.*

I have been in such continued employment, moving in such various directions, and, above all, so lost in wonder at the stupendous change of events<sup>2</sup> on the Continent that I neither have had a moment nor an opportunity to write.

Shortly after the date of my last letter I went to Bologna, where Lord William was engaged in a very difficult negotiation with our new and inexplicable friend Murat. Having had an ample share in all these unpleasant discussions, I was despatched to Vienna on business with Lamb; there I remained for about ten

<sup>1</sup> Colletta, ii. 179.

<sup>2</sup> March 30, Paris surrendered to the allies; April 2, the Senate proclaimed the dethronement of Napoleon; April 6, they recalled the House of Bourbon; May 3, Louis XVIII. returned as King. Napoleon had abdicated, and retired to Elba.

days, returned to Bellegarde's army, and from thence proceeded here, where I rejoined for the last time my dear and most amiable employer.

We have now upon our hands the Duke of Orleans [Louis Philippe] on his way to Paris, and the King of Sardinia [Victor Emanuel] yesterday arrived, to resume the reins of government in his ancient state of Piedmont.

I think it probable I may return to England about September, in the winter go to Paris, and afterwards be guided by Lord William's movements, who thinks of returning to the Mediterranean early in the spring.

Other letters describe Vienna, before and during the Congress.

BADEN, *July 28, 1814.*

In a letter from Genoa, I stated my intention of leaving Lord William, and the grounds on which I had so decided. I parted with that friend, the dearest that I have, on the 30th of May, and I hope and believe we separated with regrets nearly equal. For the time that I was with him I served him faithfully, and from him I met with a return of affection that combined the confidence of a brother with the tender experience and care of a father. He intends, I suspect, to retire into private life, and in him for a time at least his country will be deprived of one of its most zealous and most able servants.

Having left him at Genoa, I made a tour by myself in the north of Italy, passing through Verona to Venice, and from thence to Trieste. This engaged me till the middle of last month, when I arrived at Vienna exactly at the moment to witness the triumphant entry of the Emperor in his capital, on his return from the armies in France.

Since that time I have been residing here in a house with Lamb, making occasional visits to Vienna, and on the whole amusing myself well. This is a very pretty village, situated in a valley famous for its baths, and during the summer is the resort of the *Société de Vienne*; there are among them some very pleasant people, and with walks, rides, and excursions in the surrounding country we manage to keep off *ennui*.

This life of restless idleness is not an unpleasant recognition after the active and never-ceasing employment in which I have been engaged during the last year. But I am not yet beginning to tire, and hence am quite such a pleasure to my family, and love to entertain my family as, even before I spent the ten months I used to employ myself in.

My only complaint is Congress when I am seen that I am not engaged in any occupation, in a line I like the best. I am not so far from Russia and the King of Prussia and we are to have *fortes* intended.

My only complaint is Congress, myself, and I am not engaged in any occupation, in a line I like the best. I am not so far from Russia and the King of Prussia and we are to have *fortes* intended. I am not so far from Russia and the King of Prussia and we are to have *fortes* intended. I am not so far from Russia and the King of Prussia and we are to have *fortes* intended.

I think it most probable that I shall have the pleasure of seeing you in the course of my journey. It will be a great pleasure to behold you once more.

My other attachments have not been so strong. I have perhaps everything in me has been so strong. I have perhaps everything in me has been so strong. I have perhaps everything in me has been so strong. I have perhaps everything in me has been so strong.

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*Sir James Graham*  
*c. 1812-1814*  
*from a miniature in the possession of*  
*Sir Richard Graham of Ketherby*



but a steadier fire. The early prejudice I formed in favour of a party and of its leaders is only confirmed by years [he was twenty-two], and strengthened since I have viewed more closely the measures of their opponents.

To be in the House of Commons I no longer desire. I can never sit there to support men I despise, and I never shall be able to support those whom I prefer. Moreover, I begin to know my own powers. The heaven-born gift of eloquence is denied me, and without it there the rest is nothing.

The next letter is in answer to one consulting him as to any action to be taken in the event of a vacancy for Cumberland. The sage—almost parental—counsel given by the young man to his father shows how carefully he had thought out the question.

BADEN, *August 29, 1814.*

In the event of the death of Lord Carlisle, if you should be able to obtain your return on independent grounds, there can be no doubt that it would be most desirable. But there are two points to which I would advert.

First, it must be without opposition; for the expense of a contest, with your family, would be ruinous.

The second point is the independent ground on which alone I should be happy to see you stand. There your politics give you an advantage, as far as relates to Lord Lonsdale. But it must not be forgotten that Lord Morpeth is a member of the Opposition, has been returned by an old Whig party, which in Cumberland has always existed, and which by a contest I suspect will always be able to return a sitting member. Now, if by the aid of Lord Lonsdale you even overcome them, at once you become his lordship's member, and we lose our advantage ground, the interest of the family, which I hold to consist entirely in its independence.

Sooner than thus commit our line of politics, which loses for us the balance that we hold between the rival parties, it would be better, I think, to sacrifice our ambition for a time. Let them elect some other person less proper than you (and they can find no one so proper);



and then, after this trial, you might come forward with superior claims, which I think by acclamation might be granted.

As for myself, I am happily indifferent to commencing a Parliamentary career. If I live, time is in my favour ; every year will make me better able to discharge the trust with honour ; and the vanities of ambition dazzle me no more.

The last letter of the series is dated from Vienna :

*November 5.*—The whole of September I spent in Moravia, where we had some tolerable shooting, but nothing to compare with the sport at old Netherby. In October I returned here, and found all the potentates of Europe assembled. We have had nothing but *fêtes*, and probably Vienna has never been so gay. Knowing a good many foreigners, and most of the English who are here, you may suppose that I have not failed in finding entertainment.

It is the singularity of the scene, which probably never can recur, that has amused me more than its splendour and gaiety ; for you know by nature I like what is quiet and simple, and this taste has considerably increased since I left home. However, I am glad that I have been here, since the Congress will be an era in the annals of the world, and I have had an opportunity of seeing all that the present age can boast in the shape of statesmen, conquerors, and heroes.

Mr. Graham goes on to explain that, although he will come to Netherby for Christmas, in February he means again to go abroad. France he has not seen at all, Italy but imperfectly. At home he has nothing to do, abroad he combines instruction with amusement. Apart from the delight of family meetings, his chief object in returning at all to England is to make any arrangements necessary to prevent inconvenience in family affairs. To that end he is prepared for any step that will most promote immediate comfort, combined with the welfare of

the family, and the position it ought, if possible, to hold in a county where its influence has been great, and where he would regret to see it materially diminished. For political life he has lost his ambition :

It is full of disgusts, perplexities, and cares. Life is too short for its constant fretting and annoyance. A man called on to serve his country should risk all in a cause so sacred ; but he should be sought, he should not be the seeker.

Of the 'disgusts, perplexities, and cares' of politics Graham was destined to have an ample share later on. For the present, with only a passing anticipation of such future troubles, after two and a half years of absence from England, he returned for Christmas to his much-loved home.

## CHAPTER III

1815-26

Graham returns to England—Gives up Soldiering and Diplomacy—Whig Friends—Political Prospects—Elected for Hull—Marriage—Elected for St. Ives—Retires from Parliament—Farming Reforms at Netherby—Retrenchments in County Expenditure—Succeeds to the Baronetcy—Publishes *Corn and Currency*—Becomes Member for the County.

ON his return to England, Graham's regular correspondence with his father ceased, and for the next twelve years few of his letters have been preserved.

Any thoughts he may have entertained of further military service were cut short by Waterloo. For diplomatic work, too, his preference grew less strong. His mind turned more to plans for improving the family estate, and to studies in political economy and history such as might equip him for his main design of taking active part later on in Parliamentary life. Such occupations left him leisure to enjoy society, and sport in all its forms, with rod or gun, across country, and on the turf. He joined also a corps of yeomanry in Yorkshire, but after a few years resigned his commission, disgusted with the Tory Government for removing the Whig Lord Lieutenant and interfering with the right to hold public meetings.

In London his chief political friends were such as he met at his Whig Club—his cousin, Lord Archibald

Hamilton, the apostle of electoral reform in Scotland ; his neighbour from Westmorland, the brilliant but erratic Henry Brougham ; with others destined to become his colleagues—Althorp, Palmerston, Lord John Russell, and their brilliant junior, Edward Stanley.

In the country he had friends of the same party—Whig members, for the county Lord Morpeth, for Carlisle Curwen, and Lord Milton (afterwards Earl Fitzwilliam), four times member for Yorkshire ; his future colleague in representing Cumberland, Blamire ; his brother-in-law, Wilfrid Lawson, as Radical as in later days his well-known son ; the Hon. Charles Stourton (afterwards Langdale), his friend at Cadiz and Palermo ; the Rev. Richard Matthews of Wigton Hall ; Mr. John Rooke, of Akehead, a vigorous yeoman and political writer ; Mr. Henry Howard, of Greystoke, Major Aglionby, and other local Liberals of standing.

At the same time, to maintain the influence of his family in the county, he took care to live on good terms with Tories, it being in those days a common practice where a constituency returned two members to appropriate by friendly compromise one seat to each of the aristocratic parties.

In December, 1815, he writes from Pontefract to his father :

I have been moving about so much, hunting every day, and changing my quarters constantly, that really I have had no time to write. I return you Lord Lonsdale's answer, which, though very guarded, I think on the whole not unkind. From what I can collect from other quarters, you are in high favour, but I fear I am more or less in disgrace.

The next letter relates to political openings expected—

one at Carlisle, the other in Cumberland, from the long-expected succession of Lord Morpeth to his father, Lord Carlisle.

GOLDSBOROUGH, *January 17, 1816.*

The friendly intentions of — in giving you the earliest intimation of a probable vacancy I duly appreciate, as also his apparent wish that I should offer myself, in such a case, for Carlisle.

But you and I so entirely agree upon this point, and have come to so firm a decision upon it, that I view the thing as important only in the degree in which we may render it subservient to the promotion of our main object, the representation of the county.

Now, with this view, the first idea that obviously presents itself is by forwarding at Carlisle the wishes of Lord Lonsdale to secure, if possible, his good-will. This I am happy to find is precisely the impression under which you have acted, and a better letter than yours could not possibly have been written. Of the whole and of every part I most entirely approve, and I augur from it the effects we would most desire. I am delighted with both the manner and the substance of it.

You ask for my opinion as to what you ought to do if applied to from any other quarter. I answer generally, refuse to commit yourself. Should — ask you for your support [at Carlisle] decline all promise, reminding him you have ever done so ; and should he in reply refer to that ill-omened conversation with me—wherein, however, I never implicated myself or you in any engagement as to himself—have the goodness to state that you do not know the detail of that transaction, and refer him to me direct for an explanation.

I heard about three weeks ago that Lord Carlisle was considered in a very dangerous state. We have been told this so often that one really doubts it ; but, like the wolf in the fable, it may come unexpectedly some fine day at last.

I am more than usually grateful—need I say more ?—for your very great kindness and warmth of interest in this election business.

In May, 1816, writing again from his old haunt, Goldsborough, Mr. Starkey's, he describes a pleasant meeting at York where he had capital sport in the way of racing, and announces an intention to go to Paris and the South of France, there to pass the time till August, when nothing should prevent his return to Netherby—no doubt for grouse.

In Paris he met his friend Brougham, who offered to write to Earl Grey, with a view to Graham's entering Parliament under the auspices of the Whig party. But for his own county he remained true to the pledge he had given, never to come forward there without the approval of his father.

*To Mr. Brougham*

PARIS, June 30, 1816.

I am not satisfied that I sufficiently explained to you in our conversation this morning my real position and my views. I am anxious not to be mistaken by you, and before you commit by a letter to Lord Grey both yourself and me, it is better you should clearly comprehend the present state of the case.

I need not inform you that it is my misfortune to differ in political opinions from my own family and most of my relatives—relatives near and dear to me, to whom in duty as well as in affection I owe considerable deference. Although I feel these private bonds on great emergencies would and ought to give way to a sense of public duty, yet, on the other hand, I think they should not lightly be broken.

Let us suppose a vacancy for the County of Cumberland; let us suppose even that I am the only candidate. I cannot, I would not, be returned without a frank exposition of my general politics, and these would be found opposite to those of my father. I should be supported by a party with which he does not act, be reprobated by a party to which in early life he unhappily attached himself.

Would it not be better, then, patiently to wait until in the course of nature I am at liberty to give free scope to my actions, and to move with undivided force in that line of independence from which I will not deviate ?

In this way I may never represent the County of Cumberland ; it may probably be long before I come into Parliament. But the spirit thus repressed will not lose its strength ; and I could hope that those whom I ultimately joined would not respect me less on account of a delay occasioned by such motives.

My first, my fairest ambition would naturally be to represent my native county ; but this I must forego, for the present at least, on the grounds I have stated, and trust to time for a reward for so great a sacrifice.

I will own to you that I do not feel myself excluded from accepting a seat elsewhere ; and if the terms were such as in honour I could accede to, the employment, the habits of business, the exercise of the mind, are what I most desire. But for a while they are beyond my reach, and I must patiently await the time.

On the whole then this is my resolution. Think no more of me for the present ; take no steps in my behalf. The day may come when you will hear of me again.

Two years passed before, at the General Election of 1818, the first since he came of age, a chance arrived for him. At Hull the Liberal party were keen to contest one seat against two Tories. It had not been easy to find a Whig candidate able to command support and meet the expense, and several had declined before Mr. Graham was brought forward as a young man of position and promise.

Among those who vouched for him was his mother's friend, Dean Milner, who had known him from childhood, and warranted him ' educated in the very best of principles, both moral and religious, and well qualified to

support and defend the Established Constitution, both in Church and State.'

It was not inconsistent with this testimony that he was accompanied to the hustings by a Roman Catholic, his friend the Hon. Charles Langdale, and professed 'genuine Whig principles,' as then in vogue.

Ministerial extravagance [he said in his first speech] and undue influence are objects of my unfeigned abhorrence, and all my efforts will be used in restraining them, whether in the shape of places, sinecures, or pensions.

I consider war as a curse to human nature, and peace as an inestimable blessing, which it will be my constant endeavour to preserve.

I am a friend to Reform in Parliament—not that wild, enthusiastic reform which, instead of improving the Constitution, would, by producing anarchy and confusion, undermine and destroy it, but a moderate reform, which would infuse new life into the Constitution, and restore it to its former health and vigour.

To this traditional Whig programme—retrenchment, peace, and moderate reform—he added vigorous declarations against slavery, against the recent suspension of the Habeas Corpus Act, and in favour of religious liberty—a cause to which, even when leading Whigs forsook it, he stood always true.

Pains and penalties or disabilities of any kind [he said] are in my opinion persecution, when suffered by men on account of their faith, whether they be Dissenters or Roman Catholics.

At the same time he assured the electors of his loyal attachment to the Protestant Established Church.

I have been most rigidly educated in its principles, and I love it from the bottom of my heart.



His addresses to the electors were spirited and effective. He canvassed from house to house, attended festive meetings, and indulged in humorous gibes at the expense of his elderly opponents, a West India proprietor and a leading shipowner. Yet for a beginner he was prudent in his utterances—more so than in platform speeches of later life, and careful not to promise more than he could perform.

He bound himself, however, by the strongest pledges to cut down all inordinate expenditure, an engagement which, to his honour, throughout a long parliamentary life he never failed effectively to fulfil. His weak points were supposed to be his youth, his sprightliness, his fashionable dress and manners, his lack of settled occupation. He was caricatured as “Cock of the North,” “Yorkshire Dandy,” “Bond Street Lounger.” His committee, however, made the most of his having received the thanks of the Government for diplomatic work, and he assured the electors that he hated an idle life, and wished to devote his whole time to the service of his country.

From the outset he was the popular candidate. His speeches told, and he obtained the second seat, displacing one of the Tory members. But his opponents, being men of means, demanded a scrutiny, by which his majority was cut down to fourteen, and he was put to heavy legal expenses, raising the total cost of his first election to £6,000.

That sum he contrived to raise without drawing on his father. But this experience taught him in later candidatures first to count the cost. The debt incurred was the more vexatious as in return for it he obtained but one year of parliamentary life.

In 1818, owing to the scrutiny, he could not take his seat before the close of the session. In 1819, he spoke several times, and with his schoolfellow, Lord John Russell, was a chief supporter of a motion to reduce the number of Lords of the Admiralty, a department over which, in later years, he was to preside. But the Parliament of 1818 was not inclined to favour young reformers, and Graham had yet to acquire the style of speaking best suited to the House of Commons.

During the session he voted steadily with the Whigs. But meanwhile a new and engrossing interest had laid hold of him.

Fanny, youngest daughter of Colonel Callander, of Craigforth, by Lady Elizabeth McDonnell, daughter of the Earl of Antrim, was then, at the fashionable assemblies at Almack's, 'the reigning beauty.' Many and distinguished were the suitors for her favour, but among them all she gave the preference to James Graham, who lost no time in seeking for their union the approval of his loving parents. On May 17, 1819, he writes to request their sanction—for 'a plan on which the happiness of my future life depends, and which I flatter myself will contribute very greatly and essentially to yours.'

Their response was prompt and warm, and within a few days follows a letter from Miss Callander.

OATLANDS, *May* 26, 1819.

MY DEAR SIR JAMES,

To say that I thank you with my whole heart for the kind—the flattering manner in which you have received me would be expressing myself coldly and inadequately. Unless you could know with what fearful anxiety I have awaited the result of your son's application, you cannot form any idea of the infinite and unclouded happiness your consent has afforded me.





*Lady Graham*  
1820

*from a miniature in the possession of Sir Richard Graham of Airthrey*

Human nature may not—dare not—promise for itself. But so far as I can vouch for my future conduct, I trust that while it justifies your son's choice I may enjoy the dear, the cherished reward of his parents' love and approbation.

I venture to hope that Lady Catherine will show me the same indulgence that you have done, and I beg you to believe me, my dear Sir James,

Gratefully and affectionately yours,

FANNY CALLANDER.

By the same post her betrothed dwells on 'the feeling which an orphan girl alone can experience at the prospect of finding in you and my fond mother loving and protecting parents.' In a further letter he adds :

As I can confidently anticipate the happiness of so soon meeting you, under circumstances the most joyous and promising of my life, it will not be necessary to enlarge on various topics of deep interest. The security of Netherby is among the number, and I am about to be married to one who declares every privation must be endured rather than that a step fatal, as she conceives, to my name should be rashly taken.

It remains only to repeat what I can never adequately express, my real and warmest gratitude for your liberality and constant kindness. We will not be unworthy.

These bright anticipations were fulfilled throughout nearly forty years of happy married life.

In 1839 Sir James writes on Mr. Gladstone's marriage :

Let me congratulate you on the happiest and most important event in your life, and, after twenty years' experience, I can pronounce a wise choice such as you have made a crown of honour, and a real consolation amidst all the sorrows and disappointments of this vain scene in which we move.



*Little Goshawk*  
No. 10

*found in the vicinity of the Little Goshawk, Kentucky*



The young pair settled snugly at Croft Head, a small house adjoining Netherby, assigned to them as a home. But some part of each year they spent in London; and when they were presented at Court it is said that George IV., inquiring who they were, exclaimed: "The handsomest couple I ever set eyes on."<sup>1</sup>

To return to politics. In the autumn of 1819, at Manchester, on the site then known as St. Peter's Fields, where stands now the Free Trade Hall, took place a meeting in the open air to hear 'Orator Hunt' set forth 'the wrongs of the people.' Unnecessarily, as Liberals thought, the assembly was dispersed by soldiers, and many of the unresisting crowd, even women and children, were cut down or badly injured by the local yeomanry. This onslaught was approved by Canning, on the ground that in Manchester Hunt was a stranger, and the magistrates had not given leave to collect so dangerous a 'multitude'—an 'inflamed and infuriated populace'—to listen to political harangues from 'unauthorised and irresponsible individuals—ambulatory tribunes of the people.'

Graham, as a young Whig, scorned such Tory doctrine, and in the winter session of Parliament, called together in haste to pass the notorious 'Six Acts' devised by Lord Sidmouth to suppress 'unauthorised' modes of venting public opinion, took active part in debate on one of the Acts.

One clause in it, he pointed out, would make it illegal

<sup>1</sup> That the good looks have been inherited by many of their grand-children 'Society' in London will probably admit, when recalling the beauty of Hermione (late) Duchess of Leinster, and that of her sisters; whilst Lady Verulam and the Duchess of Montrose (daughters of Sir Frederick and Lady Hermione Graham) have been equally admired.



even for a member of Parliament like himself, not residing in the borough he represented, to address his constituents with a view to re-election, without official permission, to be obtained, it might be, from political opponents.

This brought up the leader of the House to deny that the clause was so intended. But on Brougham's supporting Graham with a legal argument to show that, whatever might be the intention, such might be the effect, Castlereagh agreed to the requisite amendment. The concession did not diminish Graham's general hostility to the Acts. He went on voting against them, in minorities to which public opinion has come round.

Next year, 1820, the death of the King causing a dissolution of Parliament, Mr. Graham was invited to become a candidate for Carlisle, but from regard to his father declined the offer. To avoid expense, however, he would not stand again at Hull, but fell back on the small Cornish borough of St. Ives, where he was welcomed warmly by the Liberal voters, and returned at the head of the poll, but with a Tory colleague.

A few months later his domestic bliss was crowned by the birth of a son and heir. On that occasion he writes to his father :

*April 26, 1820.*—Your birthday never shone on me with brighter hopes or fonder recollections. My wife and my boy were out of all danger, safe and happy by my side. I anticipate with perfect joy the happiness and peace of my residence so near you, and everything about Netherby has to me a double interest when I look on the face of my child, and think that he will reap the benefit of all that you and I can effect for the improvement of our happy home.

The proud mother adds :

This is the first letter I have written since the birth

of your little grandson, and I have infinite pleasure in dedicating it to you, and thanking you for all the affectionate interest you take in us. He really is very like his father, to whom I hope he will be as fervently attached as that father is to you.

For one year more Mr. Graham continued to vote steadily for Liberal motions, and to support all efforts towards retrenchment and reform. But early in 1821 petitions were presented from St. Ives against both members, and as the Committees of Parliament who then dealt with such petitions notoriously were governed in their votes by party interests, he did not care to incur the costs of defending his seat, but preferred for a time to quit political life.

That he chose that course can hardly be regarded as a misfortune, for it was owing to his release for five years from attendance in Parliament that he began to show his inborn capacity for administration by bringing into order his father's extensive but ill-managed property in land. The important reforms he effected on the estate stand on record in a public Report on the Agriculture of Cumberland.

He found three hundred tenants whose rents, though not excessive, had fallen so much into arrears that it was thought better to wipe out the greater part of them. Six thousand pounds, which could not have been enforced without resort to great severity, were relinquished. But, while lenient in this respect, he insisted upon changes calculated to prevent the recurrence of a similar state of things. Whenever leases fell in, or the smaller tenants proved insolvent, he increased the size of the farms. But this was done with so little of the blind love of uniformity that thirty years after there remained still about one hundred and fifty holders of this class.

He drained much of the inferior land without charging the tenants any interest on the outlay, and in no case

was more than three shillings and sixpence per acre added for the cost of drainage.

Where land had been thoroughly run out, he would sometimes take it for a time into his own hands, that he might superintend more closely the process for its restoration. He had less faith in tillage than in stock-farming, for the soil and climate of Cumberland. He soon became an expert farmer, and was regarded as a first-rate judge of the qualities of horses, cattle, and sheep.<sup>1</sup>

These beneficent changes required of course authority from his father, who supported him in overruling objections raised by the manager. So things went on till the old steward resigned, whereupon Mr. Graham, keeping in his own hands the chief control, was prudent enough to obtain the assistance of a skilled agriculturist from Scotland. A letter addressed to this gentleman much later, by one who had known the estate in its former condition, does justice to the reforms accomplished in the next twenty years.

*From Mr. Robert Brown to Mr. Yule*

HAMILTON, July 25, 1840.

To me, who saw and minutely examined the Netherby estates when the present Sir James Graham undertook the direction of them, and placed the details of management in your hands, and have since witnessed, at rather distant intervals, the rapid progress that has been made in bringing them in many cases from a wretched cultivation, and in others from no cultivation at all, to that very superior state of improvement in which they now are, the whole looks like the work of magic rather than of art. Where you saw a wilderness, you now see everywhere the country like a continued garden.

The great number of substantial, extensive, commodious, and I might almost say elegant, farmhouses and farm-steadings that have arisen, in place of the old un-

<sup>1</sup> Dickinson's *Prize Report*, quoted by Mr. McCullagh Torrens: *Life and Times of Sir James Graham*. See the whole chapter.

couth mud villages, strikes every stranger who travels the highway, but more so such as examine them minutely, and find every part of them perfect both in design and execution, and fit for their purpose. This remark applies equally to the steadings of all the farms, from those rented at £1,000 a year down to those let for £30. The allotment of the farms has been most systematic and proper.

Add to this, the whole country has been opened up and intersected by good roads, where not a road of any kind existed twenty years ago.

The immense number of acres of land planted within the same period—I was told from three thousand to four thousand—and the great attention that has been paid to the older plantations, have raised that branch of the management on the estate to a high degree of importance, and promise great returns of revenue at no distant time.

The attention which Sir James has shown within his own domain to the improvement of horses, cattle, and sheep must have had a very beneficial effect all over his estate, both in point of example and by affording his tenants the opportunity of crossing their stocks with his improved breeds, and buying from him better stock than their own. Then the establishment of your Farming Society has done wonders, which could never have been achieved without it. It has carried competition, precept, and example successfully in its train.

I was glad to see your tile-kilns in operation, and to learn that you have not relaxed in carrying on the system of close draining which Sir James had the merit of introducing into the Border Country.

After observing that the capital expended on all these successful improvements had greatly enhanced the value of the land, and would justify a considerable increase of rents, Mr. Brown adds :

I cannot conclude this letter without observing that Sir James Graham has raised an imperishable monument to his honour, in the highly improved condition to which he has brought his estate—a monument that he will contemplate with pleasure all his life ; and his memory will be revered in future ages, when he is gone.

## 60 LIBERALITY TOWARDS TENANTS [CHAP. III]

How completely Mr. Graham's heart was in these agricultural reforms appears from instructions to the trustees of his estate, written by him in 1823, to provide for the contingency of his death while his son and heir was still an infant.

In recommending strict economy to the Trust, I by no means wish to enforce a niggardly system, which would draw everything from the estate and return nothing for its improvement. I wish only to urge abstinence from all fruitless and unnecessary expense; but the utmost liberality should mark the conduct adopted towards the tenants.

The first object of my life has been the improvement of this estate. For this I have sacrificed ambition, and the gratification of many other selfish tastes. It would grieve me to think that my labour had been in vain, and that all the measures which are in progress, and which have cost me so much anxious care, should terminate with my life, or be frustrated by my death.

I strictly therefore enjoin in my Trust the most punctual observance of every article of agreement between me and the tenants. I particularly recommend the encouragement of draining to the greatest possible extent; and it is my express desire that the Netherby Farming Society should be continued, and the premiums given which were fixed originally by myself.

In so wet a climate as that of Cumberland the chief improvement required was drainage, and for that reason the lead thus given by Graham and a few others had an influence there even more important than the example set in the midland counties by Sir Robert Peel.

At the same time Mr. Graham gave his attention to every branch of county business.

He was the cause of many retrenchments and reforms in local taxation and expenditure. The rates had been suffered to increase year by year until their burden became extremely oppressive, and the grievance was felt the

more because a system of gross jobbing was known to prevail in every branch of the outlay, while the public asked in vain for any satisfactory account. With the co-operation of men like Mr. Curwen and Major Aglionby he applied himself to the reformation of these abuses, incurring not unfrequently the personal hostility of those who had long found their profit in them ; and he had the satisfaction of seeing the public charges reduced, the salaries of public officers cut down, the highways materially improved, and a strict account of local moneys annually made public.<sup>1</sup>

‘ We should never forget,’ said his friend the Rev. Richard Matthews, ‘ his great and untold services on behalf of the county ratepayers.’

Such work, besides affording immediate relief to all encumbered landowners, great and small, was of value to himself as training for the more arduous task of checking jobbery and waste in national affairs.

In these quiet years he also made a serious study of political economy, in such treatises as *The Wealth of Nations*, Hume’s *Essay on Money*, and the writings of his friend, and colleague in Parliament, Ricardo.

Thus actively employed, and dwelling among his own people, he spent the happiest part of his life near to his father, mother, and sisters, with his wife and little son at Crofthead. Parliamentary ambition he had not forsworn ; he had laid it aside till he could return to public life with ampler means and freer action.

In 1824, on his father’s death, he succeeded to the baronetcy, with an estate of over twenty-six thousand acres.

In 1826 the outcome of his financial studies was made public under the title *Corn and Currency, an Address to Landowners*.

<sup>1</sup> TORRENS, *Life of Sir James Graham*, i. 161.

This pamphlet, noted in its day, is still of interest as recording so able an administrator's earliest views of national finance.

These had been inspired by experience of severe pressure from economical conditions. In the year 1826 the demand for capital to meet obligations rashly incurred was beyond all recent precedent, while depression in trade caused among the working-classes poverty so extreme that to many of them a high price of bread meant actual famine. To meet these evils the Government had brought forward two measures, the one to check wild speculation by restricting paper currency, the other to lower the duty on foreign corn.

At such a crisis the young baronet thought the season opportune to propound a policy of his own for the relief at once of starving workpeople, such as the ruined handloom weavers in Carlisle, and of encumbered landowners, the class to which he himself belonged. To these last he addressed his pamphlet, and appealed to them in terms that place on record his estimate of the predominant control they then—before the Reform Act—could wield over the Legislature.

United, what might not the Landed Interest effect? The ancient nobility constitute still an immense majority in the House of Lords, notwithstanding the recent infusion of less noble blood. In the House of Commons the landed proprietors form a phalanx which no Minister could resist, if they could be brought to act in concert, and to move on one attainable object.

Why, then, do not the landlords, like the other productive classes, combine to guard the interests of their own order? Because they are divided into factions (Tories and Whigs), one of which clings to the Government of the day, and blindly supports its prodigal expenditure, in the hope of sharing its patronage, and of making that

provision out of the public purse for dependents which the hereditary family estates can no longer bear; while the other, irritated by long exclusion from all participation in Government, seeks a vain consolation in ascribing to the unbroken sway of their adversaries the common ruin which awaits them all.

Are there any limits to the power of the landed proprietors, if they could be brought to act together? I freely answer that I know no bound but public opinion, and that is a barrier which they cannot pass.

From this point of view he goes on to condemn the Corn Law of 1815, a measure forbidding all import of cereals except at famine prices.

The feeling of the public must be hostile to the present Corn Law. The receivers of rent are a very small body. Backed by public opinion they are almost omnipotent; in violation of public opinion they cannot long retain an excessive advantage.

On such grounds he advocated 'a timely compromise with the public'—not yet free trade in corn, but a move in that direction.

He would retain a fair protecting duty—'not more than such as may amply countervail the peculiar taxes to which the produce of the soil is subjected in this country.' Within that limit preference to native produce was but just; for—according to Ricardo—'a tax affecting exclusively the home growers is in fact a bounty to that amount on the importation of corn.'

So far, in opposition to the general views of landowners, Whig or Tory, he had already advanced. These principles enabled him to support in 1828 Canning's Corn Bill, in 1842 Sir Robert Peel's bold reductions of duty on imported food, and in 1843 Stanley's lower tariff for Canadian corn. But not till 1845, when he had to



encounter famine in Ireland, did his conviction of the impolicy and injustice of withholding cheap food from a hungry people grow so strong as to prompt him to take a leading part in forcing on Parliament that total and final abolition of the Corn Law in which he was the chief ally of Peel.

For the present what he most deprecated were vain attempts to raise the home prices of agricultural produce far above the level of the continental markets. Of such short-sighted efforts the economical result, in his judgment, was pure mischief.

With the rise of prices wages rise ; with the rise of wages profits fall ; by the fall of profits productive industry—agriculture with the rest—is checked and injured. It is forced to compete on unequal terms with foreign countries, where food is cheaper, wages lower, profits therefore larger. By impoverishing the manufacturer the landowners in fact disable their best customer, and yet do not succeed in raising permanently the price of corn.

The pamphlet then goes on to expound the effect of currency upon the prices of commodities—especially of corn. Before Pitt, in 1793, debased the currency, for a century and a half the average price of corn had been less than fifty shillings a quarter ; and since Peel's Act of 1819 restoring cash payments the same average price had ruled, and would rule. During the intervening quarter of a century what had varied most was the value not of corn, but of money. Pitt's currency had less purchasing power. On that ground during the war it had been thought just to increase public salaries and pensions, and in all departments the nominal expenditure of the nation had been largely increased. So far had this gone that the war taxation of 1813, the most costly

year, nominally £81,745,000, but paid in paper, was in effect a lighter burden than the peace taxation of 1825, £52,603,300 paid in gold.

The remedies he proposed were three :

First, free trade in corn, subject only to a fixed duty equal to the special burdens borne by land.

Secondly, free trade in money, ending the monopoly of the Bank of England. Competition, he held, by enforcing upon rival bankers liberality and prudence, would tend to steady the value of the currency.

Thirdly, general free trade. To destroy monopoly in agricultural industry, but let it go on for the advantage of other producers in unabated force, was an outrage on justice, a shifting of the burdens from the strong to the weak.

In short, his counsel to the landed interest was : Consent to a revision of the Corn Laws ; permit free imports with only a moderate fixed duty ; but insist on revision also of other monopolies—of the Bank of England, of the East and West Indies, and monopolies maintained by manufacturers for their own advantage. At the same time largely reduce taxation.

But here arose a difficult practical question. With largely reduced taxation how could Parliament afford to abandon revenue from protective duties ?

In part—he replied—by reducing the salaries and pensions raised during the war. But that would not suffice. More would be needed, and that more Sir James proposed to obtain by two expedients—first, by appropriating to annual expenditure the whole ‘ sinking fund ’ of five millions ; and, secondly, by a new departure in taxation, ‘ a direct tax to a considerable amount on all annuities charged on land, or payable from the Exchequer.’

This last proposal was the weak point of his budget. To lay an exceptional tax on all annuities charged on land would be denounced as legislation of landowners against their creditors ; and to impose such a tax on annuities payable from the Exchequer would be a departure by the State from its contract that such annuities should not be made to bear exceptional burdens. The project therefore found but few supporters.

When five years later a Whig Cabinet did propose to Parliament a tax on the transfer of funded property, after debate they found it necessary to withdraw the tax. But in announcing this to the King Lord Grey expresses his regret, 'believing, as he does, the measure to have been well calculated to promote the public advantage. Had it appeared to Earl Grey to be justly chargeable as a breach of public faith he never would have consented to its being proposed.' And in reply the King 'laments that some means cannot be devised of imposing upon the fund-holder a portion of those burthens which are borne by the land-holders and the industrious classes of his subjects.'<sup>1</sup>

Meanwhile, in June, 1826—the Parliament of 1820 being dissolved—Sir James Graham had been again invited, and now was free, to become a candidate for Carlisle.

In his canvass, while advocating, as before, abolition of slavery, removal of religious disabilities, and severe retrenchment of salaries, sinecures, and pensions, he now added two more advanced proposals—Repeal of the Corn Law, and Parliamentary Reform such as would sweep away all decayed boroughs, transfer representation to large communities, and extend the electoral franchise.

With these avowed intentions, which earned for him

<sup>1</sup> *Correspondence of Earl Grey*, i. 128, 130.

from an old Tory like Lord Lonsdale the nickname of 'The Radical Baronet,' Graham was returned at the head of the poll, and in thanking his supporters bade the local autocrat 'beware, lest the lesson taught him in Carlisle should be repeated elsewhere,' that is, in the county—a warning soon to be fulfilled.

## CHAPTER IV

1827-30

Administrations of Canning, Goderich, Wellington—Graham becomes Member for Cumberland—Praises Peel for Roman Catholic Relief Bill—Looks to Stanley as Leader—Correspondence with Althorp—French Revolution of 1830—After-dinner Speeches—The 'Blue' Party—Palmerston on two French Revolutions—Huskisson on Wellington—Wellington on Reform—His Fall—Graham joins the Ministry of Earl Grey.

**I**N February, 1827, the long Administration of Lord Liverpool—begun in 1812, when Graham was on his way to Lisbon—came to a sudden end. The Minister was struck down by apoplexy. The succession lay between Wellington, Canning, and Peel.

Wellington, lately made Commander-in-chief, could not well assume also the chief civil power. Canning and Peel differed on but one point. Had not Canning been in honour bound to admit Catholics to Parliament, Peel as his junior was willing to serve under him ; but as things stood he declined. The King, after long wavering, commanded Canning to form a Ministry, and Canning, when seven of his late colleagues refused to accept him as their leader, fell back on coalition with Whigs.

The Whigs were divided. Brougham had negotiated with Canning to keep three places in his Cabinet for Lord Lansdowne, Lord Holland, and Mr. Tierney ; and minor offices were accepted by the Duke of Devonshire,

Lord Morpeth, Lamb (later Lord Melbourne), Stanley, and others; with an understanding that three great questions should remain in abeyance—Catholic Emancipation, Repeal of the Test Act, and Parliamentary Reform. To these terms most of the party agreed.

Only a few followed Earl Grey, who took a different line, making a bitter attack on Canning. Chief of this minority, Althorp, in view of Canning's 'unmitigated hostility to Reform,' declared that 'this alone would prevent his passing over to the ministerial side.'<sup>1</sup>

Lord John Russell, on the contrary, recalled that some few years before he had tried in vain to unite the Whig party for Parliamentary Reform. Most of the leaders had then expressed their wish that it should not be made a party question, and Lord John himself, 'having regard to the great and growing lukewarmness on the subject throughout the country'—caused, in his opinion, by improvements in the manner of conducting the Government—had thereupon announced that he did not mean to bring the question forward again.

Graham, though sorry to oppose his friend Althorp, yet promptly took his seat with the majority of Whigs on the ministerial side. There, to his relief, Althorp soon rejoined him, and when he did so it was with a will. Before crossing the floor he frankly explained his motives. He differed from the Prime Minister on two most important points—Parliamentary Reform and the Test Act; but rather than bring back Toryism in its most odious form, he would give the new Government his support.

Even so, however, the Whigs were not strong enough to maintain in power either Canning or his successor. Canning, during the few weeks of his administration,

<sup>1</sup> *Memoir of Lord Althorp*, p. 114.

was met by virulent opposition, such as, in Graham's eloquent words (Hansard, May, 1830), 'rent the proud heart and shortened the existence of a great Minister,' and less than four months from the day when he had undertaken the Government he died. Goderich, who succeeded him, did not even meet Parliament. The session of 1828 began with Wellington Prime Minister and a Cabinet that by Peel's advice included Huskisson, Palmerston, and others of Canning's friends.

Meanwhile, on the death in December, 1827, of Mr. Curwen, so popular was Sir James Graham in Cumberland, that he succeeded to the vacant seat without a contest, attaining thus easily in middle life the object of his earliest ambition.

He did not, however, at first come prominently forward in Parliament. In 1828 he made but one speech of any importance, against a Bill brought in to prevent the circulation of Scotch one-pound notes in England. This gave him an opportunity to propound his views on Currency, in connection with the return to cash payments in 1819. To the sudden contraction at that time of the circulating medium—though he had himself voted for it—he now ascribed the financial evils from which the country suffered.

The ability of Graham's speech was acknowledged by Peel and others who answered it, but his motion for a Committee of Inquiry was rejected, as tending to throw doubt on the determination of Parliament to maintain the gold standard.

It was in this year that Sir James first conceived a definite plan to unite in one party moderate Whigs and Liberal Tories; and of such a party he resolved thus early that the fittest leader would be his friend Stanley,

then not yet thirty years of age. To him therefore Graham wrote :

46, GROSVENOR PLACE, *July 15, 1828.*

I hope you will take the field [next year] in force, and I think you will find a strong and respectable body willing to act under you. Much, of course, must depend on the events which may occur before Parliament reassembles ; but the aspect of affairs is so clouded by difficulties that the chances are some capital blunder may be committed ; and then will arrive the golden opportunity of forming a party in the House of Commons on some broad and intelligible principle, without any reference to leaders in the House of Lords, and without any direct compact with Brougham, whose assistance of course must be desired, but whose interference as against *our* leader must be resolutely resisted.

You are the person on whom I rest my hopes. You contain all the great requisites ; you may reunite a scattered force which it is the interest of the country to see consolidated, and by concert and judicious management I really am disposed to believe the road to power is open.

Stanley's answer has not been preserved, nor is there any further letter to him from Graham in this sense till six years later, when he and Stanley left the Cabinet of Lord Grey.

In 1828 there were promising elements for a new party. Five friends of Canning—Huskisson, Dudley, Palmerston, Grant, and Lamb—had resigned office on account of Wellington's behaviour<sup>1</sup> to Huskisson, holding him to a hasty offer of resignation. Also in this year it began to be surmised that moderate Tories were about to change their course on the Catholic question. Already in June such a policy had been suggested to Wellington secretly

<sup>1</sup> Inspired by Lord Bathurst. See *Memoir of Earl Spencer*, p. 228.



by Peel, and both the Prime Minister and the Lord Chancellor (Lyndhurst) had dropped hints of it in the House of Lords.

Two characteristic letters about this time from Althorp show his zeal for retrenchment, and his honest readiness to support even a Tory Government if only they would bring in a good Roman Catholic Relief Bill. They reveal also an estimate of his own powers so modest as to disarm all unkind criticism on his weak points as a leader.

ALTHORP, *July 2, 1828.*

The intelligence you send does not surprise me at all. It is indeed what I have all along expected, namely, that the Ministers would follow the advice of the Financial Committee as far as reducing the salaries of the clerks in public offices, and perhaps the daily pay of the labourers in the dock yards ; but that they would reject our advice whenever we recommended any reduction in political offices.

Having therefore foreseen this, I had made up my mind as to the course which it would be advisable for me to pursue ; and I think I did this on as fair and impartial a consideration of the circumstances as a man very anxious to cull his ewes could be expected to give them. By being out of the way I have it in my power next session to say that I concluded that the recommendations of the Finance Committee would be attended to, but that, finding they were not, I for one decline being a party to such a delusion again.

My main object being to see the Catholic question carried, I am inclined to sacrifice everything to this. But if there does not appear a prospect of this being done, it appears to me that we must declare open war upon the Government ; and there cannot be a more hostile measure, or one more likely to be effective, than blowing up the Finance Committee upon the grounds which they are now about to give us. I do not think therefore that I could do any good by coming up to town.

ALBANY, *December 17, 1828.*

I am very doubtful as to the course which the Duke of Wellington intends to pursue, but I think he will propose something in favour of the Catholics.

With respect to ourselves, I think our course is clear. All our members ought to be present on the first day, and in case the Government do not declare that intention we must get up a debate to last at least two days, and for this purpose put up all the Irishmen we can to describe the state of their country.

If, on the other hand, the Government say they do intend to do something, we must wait to see what it is, and not commit ourselves in any hostilities.

The difference of opinion between me and Brougham is that he thinks we ought to have all our forces in the field; I think we need not bring up the foxhunters. This answers the first part of your letter.

Then follows a charmingly frank discussion of the writer's own unfitness to lead a party.

With respect to the second part, I will begin by laying down as a broad principle that no man ever underrates himself; and I do not believe that any individual, except the person himself, is able to make any estimate of the abilities of a man who is discreet enough not to make attempts to which he is unequal.

I believe with you that a great many of our party fancy that I should be a good leader—so they did about Lord Lansdowne—but I know I should not. I should not have been two months before I should have fallen into the greatest possible contempt. At present I am over-rated, then I should be underrated.

When you come to town, do ask Littleton, or some other person not particularly connected with me, what he thinks of my abilities as a member of the Finance Committee. If he will tell you the truth, you will be satisfied as to my capacity for a leader.

I think I have written to you quite candidly—probably more unreservedly than people usually do about themselves; for you will observe that this is not an affectedly

modest letter, for I have praised myself where I thought I deserved it.

I say I have written quite candidly, and I can only add that when any one on whose judgment I can depend shall be equally well informed with myself as to the qualities of my mind, and the amount of information which I possess, I shall admit him to be competent to controvert what I say when I assert that I am not equal to the post of the leader of a party.

In 1829 there is little to record of Sir James Graham, save the frank and appreciative speech in which he, like Althorp, welcomed the conversion of Sir Robert Peel.

I have in private [he said] no acquaintance with him ; I have been opposed to him on almost every occasion since I entered public life ; I have not voted with him, I believe, five times since I have been in Parliament. I think him, however, a really honest and conscientious man, and—considering the great sacrifices he has recently made, the connection from which he has torn himself, the dangers which he might have created by a different course, the difficulties which he might have aggravated by adhering to the old system of exclusion, the civil war which he has averted by departing from it, and the great public services in every way which he has rendered to the State by his manly avowal of his change of opinion—considering all these circumstances, I think the right honourable gentleman entitled to the highest praise, and to the hearty support of every friend of the Catholics.

In the next year, 1830, Graham came more to the front, making three speeches of importance.

In the first (Feb. 27) he moved for a revision of official salaries. Apologising for the ungracious nature of the proposal, he founded it on the changes that had taken place in the value of money. In 1797 Pitt, by his Bank Restriction Act, had depreciated the currency ; in 1802, on account of the consequent rise of prices, Addington

had obtained an increase of the Civil List ; in 1804, Pitt himself had carried a further augmentation in recognition of 'the great increase of prices' ; and in 1809 Perceval had added £1,000 a year to the salaries of judges, 'to make their real equal to their nominal income.' But now the currency had been brought back to a metallic standard ; Government had increased by twenty-five per cent. the value of money, and had not reduced taxation. This had encroached largely on the comforts of the labouring classes.

Where [he asked] is the furniture that used to adorn the poor man's cottage ? All is gone. Pinching hunger and despair now hold their place in the labourer's habitation. The weaver in Cumberland earns but 4s. 2d. a week, out of which he has to supply his family. Oatmeal, water, and peas are his sole food, and for these he has to work fourteen or fifteen hours a day. The country has come to the point where something must be done.

What should be done ? In his own view, rents, prices, and wages had all been lowered by abrupt enforcement of a gold standard. . . . But if Parliament was resolved to adhere to what it had done regarding the currency, it was at least bound to put back the pay of public servants to what it had been at the beginning of the century.

Parliament, it soon appeared, was by a large majority determined to maintain the gold standard as restored by Peel. Neither friendly feeling to Graham, nor general approval of his motion, could induce Huskisson or induce Althorp to favour his leaning towards another revision of currency. But the ability of his speech was recognised by all who followed in debate, by no one more handsomely than by Peel, who with tact availed himself of

Graham's admissions to claim from him a continuance of the support which he had given to sound principles in 1819.

I can assure the hon. baronet that, if the only difference between us is that he would like a joint standard of silver and gold in preference to gold alone, twenty out of the twenty-five per cent.<sup>1</sup> of distress which he attributes to the restoration of a metallic currency would have been imposed by his joint standard.

Another admission was made by the hon. baronet. I trust we shall ever remember the eloquent and impressive sentiments in which his warning was conveyed. Says the hon. baronet, 'You may issue your small-note currency as you did in 1822, and its convertibility into gold will be no security against the evils of which it will be productive.' I concur in every portion of his sentiments on this point, and revert to my original position, that there is in fact no material difference of opinion between us, and that I am entitled to claim for the Act of 1819 his candid support and his powerful advocacy.

Besides this tribute from Peel, Sir James Graham had the satisfaction, not of carrying his own motion, but of withdrawing it in favour of one offered by the Government to the same practical effect: 'That in all the establishments of the country, civil and military, every saving ought to be made which can be effected without the violation of existing engagements, and without detriment to the public service.' And in prompt redemption of this pledge reductions were made in the Estimates of the year, amounting to one million.

Thus early could Graham claim the credit of having made good his election pledges by pressing on Parliament and on the Government a policy of retrenchment. And

<sup>1</sup> Mr. Peel also (in reply to Mr. Attwood) denied that in 1819 there was so great a depreciation as twenty-five per cent.

three months later he took up a more formidable task of the same nature, and achieved it with a great access of reputation.

The Tory Government had effected considerable reduction in public salaries, but the weak point was that they had dealt thus chiefly with the humbler ranks, leaving untouched excessive emoluments of those in higher stations. These Sir James now made bold to assail, and laid the ground for it by moving for a return of all salaries, pensions, and emoluments received by members of the Privy Council. The mere notice of this called forth angry protests, and they were not soothed by his sarcastic answer :

I am not disposed to stoop to ignoble game, while flights of voracious birds are floating in the upper regions of the air.

In his speech (May 14) Sir James set forth facts already at his command. The number of Privy Councillors (excluding the Royal Family) was 169. Of these 113 were in receipt of allowances to the average annual amount of about £5,753 for each Councillor. Among them were 69 Members of Parliament, 47 of them Peers, receiving on an average each £8,069, and 22 Commoners, receiving each about £4,130.

If these statements are not accurate, then [said he] to disprove them, grant me my motion.

Such being some of the known figures, he went on to explain his motives :

It is the higher classes of offices that are the subject of my motion ; it is they that are included in the returns

for which I am about to move. I seek to regulate them, and until I see those returns denied me by the vote of this House I will not believe that even the influence of the Minister of the Crown will be sufficient to refuse them. I will put to public proof the question whether the conduct of the Ministers deserves to place them high in public opinion on the score of the use they make of their patronage. We have a pledge of theirs most solemnly put forth, that they would voluntarily make every saving required by the public interest, and capable of being carried into execution consistently with the public safety. I will put that pledge of theirs to the test ; I will propose a measure of substantive retrenchment, economy, and reform. That is the issue we are to try to-night. On a former occasion I yielded, I took their pledge. Let them now redeem it.

On this ground he went to a division, in which he was supported by only 147 votes, against a Government majority of 235. But the teller with him was Althorp, now leader of ' a party for the purpose of enforcing retrenchment,' and he was supported by the Canningites, Huskisson, Palmerston, C. Grant, and Stratford Canning, with such Whigs as Stanley, Brougham, Parnell, F. Baring, and Macaulay. The general impression created by the speech is recorded by a contemporary diarist, himself by no means inclined in Graham's favour :

These are fearful facts to promulgate from the house-tops, and the Opposition gave a cheer at every pause, as if they never meant to take their share in the loaves and fishes. If they come into office, however, they will hear enough of this. For no popular orator will henceforth address himself to the popular feeling without adverting to the result of Sir James Graham's analysis. We shall never hear the last of the £650,000 distributed among 113 people, and of the £378,000 distributed among forty-seven peers. . . .

Whatever Sir James Graham undertakes he does extremely well. Nothing could exceed the spirit, the talent, and the propriety of his speech. Nothing could be better calculated to engage the sympathy of all high-minded, independent men. The tact with which he selected his instances, his total disregard of all other considerations than the interests of the people, his high tone as a representative of the Commons of England, his carelessness of consequences, and whether his arrows might hit the present Ministers, or ex-Ministers, or Ministers *in petto*, whether on this side or on that side of the House, and all, as he well knew, arrayed against him in their hearts, was that of a tribune of the people.

His success was immense, and the cheers unbounded. No question of this nature was ever before taken up in this manner, treated with such talent, and supported by 147 members. It is a sign of the times.

What with his industry and talents, his fine manner and person, his aristocratical bearing and connections, and his factious independence, Sir James Graham may go a great way.<sup>1</sup>

'Then it was,' says Sir Denis Le Marchant, 'that Sir James Graham displayed the talents for business and debate which secured him a seat in the Cabinet.'<sup>2</sup>

The following note from Brougham—as usual undated, except by the day of the week—relates probably to the same speech :

COURT OF KING'S BENCH, *Tuesday*.

MY DEAR GRAHAM,

I have been in expectation of meeting you ever since your speech, and have on that account refrained from writing to congratulate you ; but I never have got nearer to you than in the crowd last night.

You may well believe the great pleasure your *perfect success* gave me. There never was a more unanimous

<sup>1</sup> M.S. Diary of J. L. Mallet, Secretary to the Board of Audit.

<sup>2</sup> *Memoirs of Lord Spencer*, p. 242.



opinion, and I judged quite as much—or rather a great deal more—by what I heard from those who entirely differed with you, and were even displeased, as by the testimony of allies and friends.

Ever most sincerely yours,  
H. BROUGHAM.

A few weeks later Sir James returned a third time to the charge, and made an even more telling attack on the extravagant cost of recent diplomatic missions to South America. For eight months' service in Mexico Mr. Morier had received £8,987; Mr. Ward's mission to the same country had cost in two years £19,862; for thirteen weeks in Colombia Mr. Cockburn had been paid £15,975; and Lord Strangford £6,786 for a mysterious embassy to Brazil. Sir James moved to reduce the diplomatic vote for the current year, and in a full House came within nineteen votes of inflicting on the Government a grave defeat.

The death of George IV. now caused a dissolution, and Graham was returned again for East Cumberland unopposed. The only murmur of dissatisfaction came from a Radical print, which warned electors against allowing the county representation to be divided permanently between Whig and Tory. On this ground the *Carlisle Journal* complained that personal friends of Tory opinions were allowed to attend a dinner given to Sir James. But the banquet went off with success, and the guest of the evening pledged himself more emphatically than ever to the Whig party.

I am a party man because I conceive that by party we are enabled to do more than a man can do singly, and because by it we are better qualified to concentrate and strengthen public opinion. It is perhaps the infirmity of human nature that we should be required to

act thus, but it is necessary, and with this conviction I commenced my career in public life.

Disregarding the connections of family, the opinions of private friends, and, more than all, the prejudices and sentiments of my revered father, I adopted the local political opinions of my grandfather, who fought the good fight of independence in 1768 under the old blue flag of freedom. I adopted his sentiments. I became a Blue. Blue I am, Blue I have always been, and Blue I trust I shall always continue to be.

But ere long many of his constituents were to differ from him on the question, What is Blue ?

Meanwhile, he went on to proclaim the necessity for strict economy and for effective reform, in the spirit (as had been observed) of 'a tribune of the people.'

The meeting of to-day is a cause of no little pride to me, not merely as a source of personal gratification, but as it will enable me more powerfully to enforce those plans of retrenchment in the public expenditure of which I am the advocate. My power is increased tenfold by this strong expression of your opinion ; and I assure you most sincerely that it shall only prove an additional stimulus to renewed exertions for the good of the people. I shall urge and support with all my power a further reduction of taxation ; and moderate but effective reform in the representation. I see and feel that on the happiness of the people depends the safety of the State, the security of property, and the enjoyment of liberty. I have represented this to the Ministers, but my voice has been unattended to ; I have told them of their danger, but they have not heeded me.

But, if they are not to be arrested in their career by the earnest warnings of their own countrymen, surely they may well take heed of what is passing in another country, within sight of our own shores, where, if the mad career of an infatuated and bigoted tyrant had not been arrested by the all-subduing voice of freedom, we should have witnessed scenes such as Europe might have shuddered at.

If they are not so warned, be the responsibility upon their own heads. I have done my duty, and you have done yours.

When Graham thus spoke, the news of the Revolution in Paris—caused by the ill-advised attempt of Charles X. and his Minister Polignac to overthrow the constitutional rights of the nation—had but just reached England, causing great excitement and sympathy with the insurgents. Two days later, at a similar banquet at Whitehaven, where again some Tory friends were present, and the Whig member found it advisable to display unmistakably his party colours, the toast was proposed of ‘Constitutional Liberty, and the friends of freedom in France!’ and Sir James, was invited to express his sentiments on ‘the great and glorious Revolution.’ There was no reserve or ambiguity in his answer :

When I first read the Ordinances issued by the king for crushing the liberty of the Press, and with it the liberty of France, I had but one sensation, that of trembling anxiety to see whether that great and noble people would rise up at once and vindicate their rights by overthrowing that reckless tyrant, that heartless monarch. This anxiety was speedily put an end to by the intelligence which has spread joy throughout the land, and raised one universal feeling of exultation among all men who know and feel what liberty is.

Never, I will venture to say, did history record a revolution more necessary in its commencement, more signal in its warning to all tyrants, more just in its vengeance, or more speedy and glorious in its termination.

The rights of free men are not to be held at the will of despots, and this lesson cannot be too strongly impressed on all men, that the people have an indefeasible right of resistance to kings and to kingly power, whenever that power is exercised against their liberties. Constitutional kings reign only in virtue of their compact with the people.

So orthodox a Whig avowal of perfect sympathy with a people's cause against their outcast king would have satisfied any ordinary convivial meeting of English politicians. But the Radicals of Cumberland—as will be seen in their later treatment of Sir James—had little moderation ; and on this occasion his own brother-in-law, Mr. Wilfrid Lawson, gave them a lead. Warmly commending the general tone and tenor of the speech, he begged leave on one point to differ from it, and to express the difference in a toast, which he would propose. It was this :

May the heads of Don Miguel, King Ferdinand, and Charles Capet be severed from their bodies and rolled in the dust—and the more speedily the better !

The toast was drunk with vociferous applause, provoking much unfriendly comment when such proceedings, without a full report of Sir James's own speech, were published in the London papers. At this time he was generally regarded, in his own phrase, as 'a Whig, and something more.'

In respecting the right of the French people to dismiss their unconstitutional king, the Tory Government of Wellington had been not less prompt than Whigs or Radicals. Peel wrote at once, 'The best chance of preserving the form and shadow even of monarchical institutions in France is to acknowledge without delay Philip the Seventh [Louis Philippe], and to treat him in all respects as King of France.' And though Aberdeen replied, 'It would show unnecessary impatience if we were to send a recognition to Paris before the arrival in London of the messenger of the new king,' he added, 'I entirely agree with you, however, that there ought

to be no delay, and we shall be the first Power in Europe to recognise him.' Wellington held similar language. On this point Lord Althorp honestly remarked, 'I should be for giving the Government more credit for the quickness with which they acceded to the wishes of the French people.'

Still, it was suspected, however unjustly, that much sympathy, if not some understanding, had existed between Wellington and Polignac, and the influence of the French Revolution was fatal to many Tory candidates in the United Kingdom.

Public opinion was beginning to declare itself unmistakably against such policy at home as prosecutions of the Press for alleged libels on the Prime Minister and the Lord Chancellor, and against such foreign policy as encouragement of Don Miguel's pretensions to rule over Portugal, or of King Ferdinand's despotism in Naples. It is of interest to read comments of Lord Palmerston to Graham on the general situation, and in particular on the contrast between the two French Revolutions.

*From Lord Palmerston*

STANHOPE STREET, July 28, 1830.

The King declared three days ago, after dinner, that he should keep the Duke as his Minister as long as he lived, and desired the foreign Ministers present to report this to their Courts. Of course there can be no doubt that resolutions so announced are unchangeable!

Charles X. seems at last to have passed the Rubicon. How long will it be before he also passes the Alps?

That question was soon answered. On July 26, by defying the Constitution, Charles passed the Rubicon; next day, July 27, the Revolution began; on July 30

(two days after Palmerston's letter) the king fled from Paris; on August 17 he passed not the Alps, but the Channel, to seek refuge in England. Meanwhile, Palmerston had written again :

*August 4, 1830.*

This French Revolution has come upon its instigators and authors like a thunderbolt, and I suspect that our Duke is as much surprised by it as Polignac or Metternich can be. I hear that he expresses astonishment that so large a body of troops could allow themselves to be beaten by a mob.

Men who, like the Duke and Buonaparte, have always been accustomed to wield the organised machines called armies, where no volition is allowed except in the Director, have invariably been deceived in their calculations as to what could be effected by an unorganised multitude, where every individual is animated by an enthusiastic intensity of will.

The Duke, I hear, blames Orleans much, and says he has acted a treacherous part towards Charles. Is not this an indirect approbation of Charles's measures ?

The contrast between the conduct of the French now and in the time of Louis is truly striking. Then the resistance which patriotism rendered legitimate against tyranny seemed only to be the pretence for arriving at the most horrible excesses. Now no violence seems to have been committed, beyond what was absolutely necessary for the security of the Constitution. Is not this the most triumphant demonstration of the advantages arising from free discussion, from the liberty of the Press, from the diffusion of knowledge, and from familiarising even the lowest classes with the daily examination of political questions ? For to what else can be ascribed the honourable contrast which the proceedings of last week exhibit with those of the beginning of the last Revolution ?

Graham was in correspondence about this time also with Palmerston's leader, Huskisson, who wrote :

EARTHAM, PETWORTH, *August 26, 1830.*

I am not yet very strong, but quite enough so to leave me no doubt that I shall be able to keep my engagement to be at Liverpool for the opening of the Railway on the 15th of September.

The great Captain, you know, is to be there with all his tail. Of course one object is to throw me into the background at this ceremony; another is, by extending his visit to Manchester and other places, to cater a little applause, and bid for a little popularity, before the meeting of the new Parliament.

The times favour this. The harvest is abundant, price of provisions falling, and manufactures (silk, cotton, woollen) are all in full employment. He will therefore meet with nothing but good-humour, and with his usual luck will endeavour to make the most of it; though it will require no small degree of assurance to claim for himself any share in having contributed to this satisfactory state of things.

I look at the political horizon, both at home and abroad, so entirely through the same medium as yourself, and you have so well delineated the course which prudence and a regard for the best interests of the country appear to me to require, that I shall not detain you by dwelling upon topics to which you have so happily adverted.

I agree with you that the present Ministry ought not to stand the shock of the next session, and that it is the interest of all public men—I might say the interest of the public as well as of party—that they should come to an understanding not to listen to any separate overture for reinforcing it, unless upon the preliminary admission of an entire reconstruction, so as to exclude no one, and to admit to a fair participation in the management of the State persons more competent than those now in charge of some important departments.

I do not expect, I own, that the Duke of Wellington will consent to negotiate upon such a principle, but I am sanguine—from all that has come to my knowledge since the close of the session—that he will not find in the country any man of real weight inclined to treat with him upon any other.

When I say this, I am by no means confident that it will be easy to beat down the Ministry at the first onset—however well combined and vigorous it may be—in the new Parliament. Indeed I do not see that they are likely to fall, even should the attack be successful; because the principle of the Duke appears to be, not to stick to his own measures, but to be always ready to take up those of his opponents, if he is driven from his own, and, on the other hand, to stick to office, so long as the King will stick by him.

The question therefore will be, what impression the weakness of his Government is likely to make on the mind of the King.

Pray come to Liverpool on the fifteenth. We can talk over these matters more at length there in the Opposition long coach, as it runs along the railway. I hope we shall muster enough to fill one.

The formation of a new party was on the anvil, and little did the correspondents think that this entire agreement on the political situation and prospects was to be the last intercourse between them. But three weeks later, on the day and at the place appointed for their meeting, the opening of the first railway for passengers was for ever associated with Huskisson's tragical death. What his estimate had been of Graham's capacity and character was recorded by his mourning widow.

*From Mrs. Huskisson*

I think it would afford you satisfaction to learn that your letter in August was shown to me with the renewed expression of his high opinion of your character and endowments, and he added, 'To this letter I can only reply by stating how perfectly it expresses my own sentiments.'

No sooner did the grave close over Huskisson than speculations were rife as to the probable effect of his death on rival interests. Brougham at once anticipated



that the removal of Canning's chief political friend and successor would make it less worth Wellington's while to negotiate with the rest of that party, and easier for the Whigs to do so without losing Radical allies.

BROUGHAM, *September 17, 1830.*

I was prevented from seeing you by the lamentable accident which ended all the Liverpool festivities.

Well, what is the consequence? The party is now worth but little to anybody; though Pam and Grant are clever and good men, it is not any longer a party for the Beau [Wellington] to reckon upon as a port under his lee. The remnant joining him would not give him a month's respite: Huskisson himself could hardly have given him a session's.

But he *may* make an offer now, and I hope and trust for their own sakes nothing will induce them to accept. Our [Whig] policy now should, as it strikes me, be to join openly [the followers of Canning].

If this doctrine is sound, it should be acted on. Personally, one is very indifferent how it is, but I think their late refusal of the large offer [from Wellington] to Melbourne gives them large claims.

I hear that [the Duke of] Cumberland is more furious than ever against the Duke of Wellington; and that Wellington talks of 'making the good Queen Regent!' This seems incredible, but he is so d—d rash and foolish, I wonder at nothing.

Much to the same effect wrote another Whig.

*From Sir George Warrender, M.P.*

*September 21, 1830.*

I ardently wish to see Grant, Palmerston, and yourself with your mutual friends acting together in the House of Commons; and in that case, whether in office or not, you would in fact direct the march of affairs.

I don't know why I should trouble you with these opinions, if it were not that, after the men with whom you know I have sat and voted of late years, I feel for you the greatest respect among all those who have taken

a prominent part in Parliament, and I am glad to express to you, without waiting for events, the sentiments I entertain, as to any attempt to bolster up the present system.

To bolster up the system was not possible with Wellington as Prime Minister. He was quite out of touch with public opinion. No sooner did the new Parliament meet than he was challenged by the Whig leader in the Lords, Earl Grey, to declare his policy, and replied with the full courage of his convictions. His 'hostility to Reform' was as extreme as Canning's, his admiration of the old style of 'representing the people' as ardent as that of Burke. His colleague, Lord Aberdeen, used to say that, 'had the Duke spoken to him previously on the subject, he could have kept him from uttering the idolatrous eulogy he pronounced on the unreformed Parliament.'<sup>1</sup> Be that as it may, the Duke did not consult him till too late, when he asked him, 'Have I said too much?' He had said this:

The existing system of representation possesses the entire confidence of the country; and not only am I not prepared to bring forward any measure whatever of Reform, but I shall always feel it my duty to resist such measures when proposed by others.

Having nailed those colours to his mast, within a fortnight Wellington fell, never again to hold the first place as civil ruler of a people whose determination to obtain effective representation in their House of Commons he was so unable to understand. But for twenty years more he was to lead with skill the House of Lords, and for most of those years with Graham practically, even when not officially, his trusted colleague.

<sup>1</sup> *Life of Lord Aberdeen*, by Lord Stanmore.

The actual question on which Wellington and Peel thought it prudent to accept defeat was an unexpected refusal of the Commons to vote the Civil List proposed for the new reign. But the true cause of resignation, it was admitted,<sup>1</sup> was their unreadiness to grant improved representation of the people. They therefore naturally advised the King to send for the leader of Opposition in the Lords, Earl Grey, who in his younger days had borne the flag of Electoral Reform.

The King acted on their counsel. Lord Grey obeyed the call, and not without diffidence in his sixty-sixth year accepted the commission to form a Government, first obtaining a promise from the King that he would loyally support a Reform Bill.

His Government Lord Grey selected almost wholly from the great Whig land-owning families. Every member of the Cabinet was a peer, or son of a peer, with two exceptions; Mr. Grant had not that qualification, nor had Sir James Graham. But he had another. Lord Grey is said to have boasted that the acreage possessed by his Cabinet surpassed any previous record. To this Sir James contributed six-and-twenty thousand acres.

He was qualified also by his late telling efforts for Retrenchment and Reform. On Retrenchment his last three speeches have been quoted. On Reform he had said in Parliament :

This day week the sense of the Commons of England will be taken upon that which I hold to be the most

<sup>1</sup> The Duke of Wellington himself wrote to the Duke of Northumberland : 'Our resignation prevented the discussion of Parliamentary Reform yesterday. Indeed it was with that view that I thought it best to lose no time in sending it. The new Government will now have that question on their hands. Lord Grey can take it to himself if he should think proper.'

important of all questions, whether it is expedient or not that the state of the representation of the people should be considered with a view to its amendment. In reference to that question the Duke of Wellington has declared against all reform; and the right hon. baronet [Peel] following his example has declared himself unable to see the way. This is the point upon which we have come to issue, and as far as I can see it is the declaration made by the Duke of Wellington on that point, and the sentiments expressed by the right hon. baronet, that have, in an incredibly short period of time, effected the greatest possible change in the feeling of the public in regard to the Ministry.

With these claims of fitness, and his recognised ability, Sir James cannot have been surprised when he received from Lord Grey the following note :

BERKELEY SQUARE, *November 16, 1830.*

I have been commissioned by the King to form a new Administration. In this arduous and difficult undertaking I look anxiously to your assistance. Can you call here to-morrow at one ?

On calling, he was invited to become First Lord of the Admiralty. With such colleagues as were proposed, and 'with reform, peace, and retrenchment the avowed principles of the Government,' he writes to his supporter, Major Aglionby, 'it was difficult to refuse.' By accepting he vacated his seat, and was again returned, the third time without opposition, for his native county.

## CHAPTER V

1831-32

### REFORM BILL IN THE COMMONS

Earliest Projects of Electoral Reform—Chatham—Pitt—Grey—Lord John Russell's "Moderate Reform"—Canning's Protest—Effect of French Revolution—Brougham—Palmerston—Overtures to Peel—Fall of Wellington—Earl Grey—Committee of Four drafts a Bill—Reception of it by the Cabinet—By the King—An Aristocratic Measure—Small Boroughs—Ten-Pound Franchise—Ballot—Second Reading by Majority of One—Peel's Forecast—Gascoigne's Amendment—Dissolution—New Parliament—Large Majority—Obstruction—Graham predicts Success.

**T**HE chief work of Earl Grey's Government was their Reform Act, that 'bloodless revolution'<sup>1</sup> which, contrary to their intention, has in the end overthrown an aristocracy of land-owners, and in its place installed representative democracy as the dominant factor of the British Constitution.

Sir James Graham having had a large share in framing the Bill, and in forcing it upon the Upper House, it is of interest to examine the motives and principles that governed him in dealing with this fateful question.

The Whigs, his colleagues, were aristocrats. Indeed, from 1688 to 1830 no leading statesman had been inclined to democratic change.

In 1745 Pitt the elder, opposing a motion for Parliamen-

<sup>1</sup> Lord John Russell.

tary Reform, induced the Commons to reject it without a division. In 1770, admitting that the small boroughs had been well described as the 'rotten' parts of the Constitution, he yet advised the country patiently to endure them, trusting the counties and great towns to hold them in check; and in aid of this he advised that each county should have one more member.

Pitt the younger, before the French Revolution, took up this policy of his father, and even proposed to buy the electoral rights of thirty-six small boroughs, and transfer them to counties or great towns. But after the Revolution he became what Grey called an 'apostate'—a stiff opponent of even moderate Reform.

Deserted by Pitt, the cause was taken up by Grey, and championed by Erskine, Fox, and Sheridan. But the country was in no mood for political adventure. The dire results in France of 'effectual representation of the people'—had caused on this side of the Channel a revulsion so strong that for many years no more was heard of such proposals.

After the war the oppressive Corn Law of 1815 exposed one chief defect of the old British Constitution, the unjust share of power it gave to land-owners, as against the growing interest of manufacturers, and of their work-people, in risk at times of sheer starvation, from dearth of home-grown and prohibition of imported food.

Yet in 1819, when Sir Francis Burdett, with whatever further purpose, moved that the House should consider the general subject of representation, his motion found but sixty supporters. Among them were Lord Tavistock (afterwards Duke of Bedford), Lord William Russell, Sir Robert Wilson, Ricardo, and others of Graham's friends, but not Graham. He held aloof

with Lord John Russell, who declared 'though not opposed to all Reform, he could not accept schemes which were regarded as wild and visionary, or accept an inquiry calculated to throw a slur upon the representation of the country, and to fill the minds of the people with vague and indefinite desires.'

'These few sentences,' says Sir Spencer Walpole, 'had far more effect than any that Lord John had yet spoken. They elicited a somewhat angry remonstrance from Sir Francis Burdett, but they made Lord John the champion of the Moderate Reformers.'<sup>1</sup> And with Lord John stood Graham.

In October of the same year Lord John brought forward three extremely mild proposals: 1. That boroughs in which gross and notorious bribery should be proved to prevail should cease to return members. 2. That any rights so taken away should be transferred to some great towns, or to the largest counties. 3. That Grampound—a byword for corruption—should be disfranchised. These resolutions, promptly accepted by Lord Castlereagh, give some measure of what a moderate Whig Reformer thought feasible in 1819.

But, as years went on, Lord John waxed bolder. In 1821 he moved resolutions declaring the expediency of (1) strengthening the connection between the people and Parliament by giving direct representation to wealthy and populous places, and (2) appointing a Committee to consider how this could be done without an inconvenient addition to the House of Commons; and next year he gave this plan substance by proposing to add to the House a hundred new members—sixty for counties, forty for great towns—and to provide the seats by taking

<sup>1</sup> *Life of Lord John Russell*, i. 115.

one from each of the hundred boroughs with the smallest populations.

It was on this occasion that Canning, exerting all his eloquence to oppose the motion, conjured Lord John to pause before he again pressed on the country such a proposal; but should he persevere, and in the end succeed, 'then,' cried Canning, 'his be the triumph to have precipitated those results, be mine the consolation that to the utmost and to the latest of my power I have opposed them!'

Canning retained these anti-popular sentiments to the last. He was, in Peel's words, 'the uncompromising foe of all Parliamentary Reform.' But after Canning's death opinion quickly changed. Even Croker got so far as to write to Lord Hertford:

I cannot but think that we are in the wrong, and that the best way of averting a worse and wider Reform would be to transfer the franchise to Birmingham, Manchester, and Leeds [great towns then unrepresented], as cases of corruption may arise in the smaller boroughs.

He also counselled Peel to allot from Grampound one member to Leeds and one to Sheffield, and in like manner to divide between Manchester and Birmingham the representation of East Retford, disfranchised for corruption.

But not until the French Revolution of 1830 roused strong sympathy on this side of the Channel did the demand for some Reform throughout the United Kingdom become practically irresistible. A general election happening to take place at that moment enabled constituencies to make their voices heard, and Wellington's unwise declaration against all Reform precipitated his fall.



At the election Graham had been returned unopposed, and at a dinner given him he had spoken still in general terms for 'moderate but effective Reform, transferring the franchise of decayed boroughs to populous towns, and throwing open the franchise of cities and boroughs to the householders rated at £10 or £20 a year.' But on his return to London he entered into conference on the subject with his friends Althorp, Stanley, Brougham, and Palmerston. Letters dated about the opening of the session throw light on his attitude and on theirs.

*From Mr. Brougham*

*November, 1830.*

Althorp and Stanley and Denman dined with me yesterday after our meeting, and agreed to come again next Sunday to talk over the Reform Bill in detail before calling another meeting, and we all wished you to join us. Stanley and I accordingly went to Brooks's, as he said you would be there, but we found you not.

We all agreed that it would be highly expedient if you could in the interval see any of the Palmerston folks, and ascertain how far they are prepared to go, the heads being—1. Great towns. 2. Expenses of poll, etc. 3. Non-resident voters in boroughs. 4. General rights of householders. 5. Disfranchisement of rotten boroughs and small towns, such as Barnstaple and Cornish nuisances, to the extent of one member, to make room for great towns.

Graham's answer approves in general terms of a Reform as large as public opinion required and prudence would permit.

GROSVENOR PLACE, *November 2, 1830.*

I can have no difficulty in lending my feeble but cordial assistance to the discussion of the details of the great measure which you have undertaken. I accept therefore with pleasure your invitation for Sunday next.

I shall endeavour before that time to ascertain the

sentiments of Lord Palmerston and his friends : but I am sure that—as you seek a practical remedy for an admitted evil at a moment of great excitement—you will be disposed to conciliate general support in Parliament by concessions as large as you may deem consistent with your own principles, and with your duty to the public, our common object being to reform to the extent necessary for preserving our institutions, not to change for the purpose of subverting.

In this matter general concurrence can only be obtained by mutual modifications of opinions, some stretching the concession further than they may have hitherto thought desirable, others for the sake of what is practicable reducing what they may deem to be expedient ; and I rejoice that the question is in your hands, because the public will be satisfied with less from you than from any other member of the House of Commons, when you declare that you bring forward all which you can hope to carry with a due regard to the circumstances of the present time.

Much discussion, negotiation, and arrangement will be required, not only before we can bring Palmerston's friends into line in favour of Reform, but before you can meet the views and wishes of our own friends in both Houses of Parliament.

Would it not, therefore, be better if, instead of formal motion, you in your speech to-morrow notified your intention to bring this vast subject forward in all its details ?

On this advice Brougham acted, announcing that on November 16 he 'would bring the great question of the Reform of the House of Commons fully under consideration.' His object was 'not revolution, but restoration—not to change the representation from what it had been.'

Meanwhile the party prepared a formal notice, which Graham has preserved.

That this House do resolve itself into a Committee of the whole House to take into consideration the state

of the representation of the people in Parliament, with a view to remedy such defects as may appear therein.

The paper is endorsed :

This is in Brougham's handwriting, and was the motion which it was agreed at Althorp's rooms<sup>1</sup> in 1830, November, should be moved by Brougham.

On November 16 Brougham unwillingly postponed his motion 'till the 25th, and no longer.' But on the 22nd he took his seat on the Woolsack, and never spoke in the House of Commons again.

Wellington's 'fatal declaration,' as Graham called it, of November 2, 1830, against all Reform, had been preceded on November 1 by secret overtures through Mr. Littleton to Sir Robert Peel. These offers, had the Duke been less obstinate, might have led to a coalition, ten years earlier than that which in the end took place, of Graham and Stanley in office with Wellington and Peel. There was no insuperable difficulty, if only Wellington would consent to a moderate Reform—'even to giving members now to the three largest towns, and hereafter to other great towns whenever there should be such proof of corruption as should cause the disfranchisement of some borough.'

If the Duke is prepared [said Littleton] to do what I have pointed out, he may have Palmerston and the Grants, and also Sir James Graham and Stanley. Sir James has said it to me, and Stanley said it to me this morning. He felt that by joining with Palmerston and the Grants he should be sufficiently covered, and Sir James Graham had the same feeling.<sup>2</sup>

But Wellington did not care to admit so many as were willing on those terms to join him, and Palmerston,

<sup>1</sup> See *Brougham's Memoirs*, iii. 48.

<sup>2</sup> *Peel Papers*, i. 165.

when a few days earlier the Duke consulted him, had said 'it would not suit him to join unless Wellington meant to reconstruct his Administration.' Nor would the Duke accept colleagues pledged to go so far as Brougham wished, and in his journal<sup>1</sup> Palmerston writes :

Melbourne, the two Grants, Binning, Littleton, Graham, Warrender, Denison, and one or two others had met at my house to consider what we should do on the motion that Brougham was to make on Parliamentary Reform, and I and the Grants and Littleton had quite determined to vote for it.

Graham had always been more of a Reformer than Palmerston, more also of a Whig, so that when Palmerston on the failure of negotiations with Wellington was ready to join Earl Grey, much easier was it for Graham to do so, and with equal readiness he consented to serve on a Committee of Four—the other three being Lord John Russell, Lord Durham, and Lord Duncannon—to prepare the plan of Reform.

Of the general nature of the problem to be solved Lord Grey's view is recorded in a letter to the King's private secretary :

*January 13, 1831.*

The perilous question is that of Parliamentary Reform, and as I approach it the more I feel all the difficulty. With the universal feeling that prevails on this subject, it is impossible to avoid doing something ; and not to do enough to satisfy public expectation would be worse than to do nothing. We are now occupied with the details.

Sir Herbert Taylor answered :

His Majesty is not surprised that your lordship should approach this question with dread ; that you should feel

<sup>1</sup> ASHLEY : *Life of Palmerston*, i. 213.

~~all its difficulties.~~ Nor is His Majesty blind or indifferent to ~~public feeling or to public expectation.~~ But he believes ~~these to be overrated by those who are such strenuous advocates for the measure as to overlook the danger attendant upon its agitation when there is so much of excitement and revolutionary feeling abroad.~~ His Majesty is satisfied that your lordship feels all this, and ~~that no one can be more strongly opposed to the wild and mischievous projects of the Radicals.~~

Lord Grey replied :

The great desideratum is to make an arrangement on which we can stand, announcing our determination not to go beyond it. It has often been my wish to find the means of postponing it.

But to postpone it was beyond Lord Grey's power. Public opinion would not brook delay, and so the Committee went at once to work. Their labours were kept secret, and lasted through the winter. The result was embodied in a Report to the Cabinet.

In this Report, the general intention of the Government, to which in later years Sir James Graham used often to appeal, was thus expressed :

The plan ought to be of such a scope and description as to satisfy all reasonable demands. By pursuing such a course the most effectual check would be opposed to the restless spirit of innovation.

The principle of the Bill, as declared by Lord Grey in Parliament, was 'Representation, not Nomination.' The details in the first draft were as follows :

All boroughs with less than two thousand inhabitants to be disfranchised (Schedule A). All with fewer than four thousand to lose one member (Schedule B). All towns with more than ten thousand inhabitants—of which in England about thirty were unrepresented—to

have members. All counties with more than one hundred and fifty thousand to be divided and have additional members.

In boroughs the right of voting to be vested in householders rated at £20. In counties the forty-shilling freehold franchise to remain, with the addition of leaseholders of £50 and copy-holders of £10 a year.

Voting to be by ballot. Duration of Parliament to be limited to five years.

In this the Cabinet made three important changes. 1. In deference to objections of the King, Lord Grey, and others, they struck out Ballot. 2. By the King's desire they retained Septennial Parliaments. 3. On inquiry and reflection the Whigs did not dare to carry disfranchisement in boroughs so far as would have been effected by requiring a rent of £20. Brougham, who argued for all 'scot and lot [or ratepaying] householders,' was overruled; but the qualifying rated value was lowered to £10.<sup>1</sup>

While Liberal as to franchise, as to close boroughs Brougham was Conservative. In his own Bill he had meant to disfranchise wholly only five, and he opposed the sixty of Schedule A. But on this Grey stood firm.

Brougham had told Althorp 'he had great objection to the abolition of close boroughs; they were by no means the worst part of the representation; there would be no safe means of getting seats for persons in the Government,' etc.

But Lord Grey wrote :

I thought Brougham had been satisfied by my answer that, whatever the inconveniences might be, these

<sup>1</sup> I succeeded in altering the £20.—*Brougham's Memoirs*, iii. 92.

boroughs could not be maintained. On this point I cannot give way. If he perseveres, he may throw us over with the King.<sup>1</sup>

Had Brougham insisted on this point, he would have had support from Peel and the Tory party, but would have lost caste as a Reformer. He yielded, therefore, and his attempt to save small boroughs failed. Probably he found little support in this from colleagues, from Graham none.

On Sunday, January 31, the Report, amended by the Cabinet, was submitted to the King, and next day Sir James was apprised of the result :

*From Lord Durham*

*Monday night [February 1, 1831], half-past eight.*

MY DEAR GRAHAM,

I have just received an express from Lord Grey. *All is as right as we could wish.* The King approves entirely of the general view and effect of our Reform, and was particularly pleased with the Report. This is really too good.

Ever yours,

D.

On February 2 Lord Grey himself writes : 'The King's noble conduct is indeed a just theme of praise, and entitles him to all our gratitude and all our zeal in his service.' To which Sir James replies : 'His wise and generous conduct has saved his throne, and averted civil war.'

Again on February 4, Lord Grey remarks :

The enclosed letter is excellent, but not more so than I expected after my conversation with the King on this subject, and with the experience we have had of his fair dealing and unprejudiced consideration of every matter that comes before him.

<sup>1</sup> *Earl Grey's Correspondence*, i. 81.

In the letter enclosed the King welcomes the rejection by the Cabinet of Ballot, as 'removing an insuperable bar from his assent to the proposed measure,' and declares that—

Nothing should ever induce him to sanction a practice which would in his opinion be a protection to concealment, would abolish the influence of fear and shame, and would be inconsistent with the manly spirit and the free avowal of opinion which distinguish the people of England.

The King approved, as did Lord Grey, of excluding from the vote in boroughs all householders rated at less than £20 a year. He wished also to abolish in English as in Irish counties the forty-shilling freehold franchise. But Lord Grey was firm in keeping this, being satisfied that 'in England its continuance would operate rather favourably than otherwise for the landed interest.'

Ballot had been proposed by Lord Grey's somewhat Radical son-in-law, Lord Durham. Lord John Russell states that in the Committee of Four it was added to the plan 'against his earnest advice.'<sup>1</sup> Graham seems to have given his vote for it upon the recommendation of Althorp,<sup>2</sup> not expecting that it could be carried in the Cabinet, but that by withdrawal of it other Ministers might be induced, by way of compromise, to acquiesce in a lower franchise. Ballot was accepted, he says, only 'ad referendum.'<sup>3</sup> Lord Grey writes :

This mode of election was not proposed even by the framers of the Report as one to which they themselves were partial, but as a concession which would greatly facilitate the raising of the elective franchise in cities and boroughs, and this would of itself diminish the evils

<sup>1</sup> *English Government*, etc., p. 228.

<sup>2</sup> *Memoir of Viscount Althorp*, p. 292.

<sup>3</sup> See p. 120.



which might be apprehended from the adoption of the Ballot. When it came to be discussed in the Cabinet, the objections to it were not more strongly stated by me than by the Chancellor [Brougham], Lord Lansdowne, and others; and the decision was taken by the whole Cabinet, though with an opinion still entertained by some, on the grounds which I have stated, that it might be expedient.<sup>1</sup>

Of the Bill thus drawn and thus amended the Minister most responsible for it, Lord Grey, is said to have predicted that 'within two years it would be regarded as the most aristocratic measure that was ever proposed in Parliament.'<sup>2</sup> And that notion seems to have been impressed upon the King, who told his physician, Sir Henry Hallford, that it was 'an aristocratical measure.'<sup>3</sup> Some few persons may have so regarded it, but to the world in general it wore a different aspect.

Among the warm supporters of the Bill was Stanley. Palmerston, on the contrary, wished to apply the drag.

*From Hon. E. G. Stanley*

WHITEHALL YARD, *February 27, 1831.*

I had a good deal of conversation about the Reform Bill and the Government with Palmerston. He is much dissatisfied, and complains of the impression created throughout the country by the newspapers supposed to be the organs of the Government, and really the organs of some members of it, that we are identifying ourselves with the Radicals, and breaking down all our established institutions.

The parliamentary history of the Bill falls naturally under two heads—its fortunes in the Commons, and in the Lords.

<sup>1</sup> *Correspondence of Earl Grey*, i. 115.

<sup>2</sup> *Life of Lord Sidmouth*, iii. 439.

<sup>3</sup> *Peel Papers*, ii. 178.

In the Commons, on March 1, Lord John Russell brought in the Bill. The secret had been well kept, and great was the excitement when he revealed the startling proposal—not of irresponsible private members, but of the King's Government—to disfranchise wholly sixty boroughs and partially forty-eight.

Lord Brougham, who had opposed the total disfranchisement of more than five, was of opinion that 'had Sir Robert Peel risen at once and declared he would not discuss so revolutionary and so mad a proposal, the Bill would have been rejected'; and Lord Althorp and others are quoted to like effect.<sup>1</sup>

Sir Robert Peel, however, judged otherwise, and watched his opportunity for a temperate speech, until the third night's debate, when Palmerston, himself a recent convert to Reform, made bold to assert that his old leader Canning would have given the Bill his support. Peel 'wished to God Canning were there, to confound the sophistry of Reformers.'

The mover, Lord John Russell (Peel said), had himself in 1819 objected to 'a reform on principle—an entire reconstruction—of the House of Commons.' But what else was the wholesale plan of reform he now brought forward? On what principle should the privilege of voting in future be confined to householders rated at £10 a year? Why sever all existing connection between the lower classes of the community and direct representation? Why take away an immemorial privilege, and so subject a great, powerful, jealous, and intelligent mass of the population to entire and uncompensated exclusion?

<sup>1</sup> *Memoir of Earl Spencer*, pp. 298, 299.

He deplored the agitation of such extreme proposals at a time when the public mind was excited by the Revolution in France, and concluded a long and eloquent speech with a solemn warning against rashly imperilling that sacred edifice of liberty which, with all its imperfections, still contained within its walls the noblest society of freemen known to the habitable world.

Peel was answered by Stanley, who threw back the responsibility for public excitement on those who had abandoned the government of the country because they were prepared to resist all reform, and owing to whose policy for years past not one great town, not one great district, had been added to those represented in Parliament, not one corrupt borough had been deprived of the means of corruption. He urged the House to support the new Ministry in their endeavour to uphold and cement together the legitimate rights of the Crown, the aristocracy, and the general community, and by so doing to fix the whole on the imperishable basis of the affections of the people.

On a later evening Sir James Graham, further answering Peel, accepted for himself and for the Cabinet the fullest responsibility for the Bill.

The charge of avoiding responsibility did not come well from one who, admitting that some change was necessary, had not only proposed no measure of his own, but had acted with the noble Duke who had denied the utility of all Reform. Sir Robert Peel himself did not dispute the necessity for it. The only question between him and Ministers was whether their measure was too sweeping and extensive. In their judgment it was not so. They had not thought it consistent with their duty to bring forward half-measures, or to balance nicely the pledges they had given to the nation, and devise plans barely to redeem those pledges. Nor could they

admit that there was any good cause for delay. The withholding of just claims only led to claims such as at first no man dreamed of making.

Sir Robert Peel had regretted that the measure was one that would deprive the lower classes of the franchise, which they had exercised much to the advantage of the country. In reply, he would quote the principle laid down by Mr. Fox, that the best system of representation was one which secured to a country the largest number of independent voters; and the worst was one which embraced the largest number who, from being in dependent circumstances, were incapable of deliberation, and must act as they were commanded.

He cited also the example set by Sir Robert Peel himself of disfranchising forty-shilling freeholders in Ireland.

After further defending the £10 limit and other details, in conclusion Graham declared—

He could not understand how monarchy could be endangered by making it rest on the affections of a loyal people. Experience showed that the throne of England never ran the risk of subversion except when attempts were made forcibly to overbear the just wishes of the people, and to stifle their aspirations after liberty. That this reform would be a cure for all the evils that afflicted the country he did not believe. But when Parliaments should be freely chosen by the people, they would know that all would be done for them that was possible; and they would then be more tranquil, more contented, and more peaceable. Thus the government of the country would be put upon a more solid foundation, for he knew none so safe as the extension of the suffrage to the most intelligent and industrious classes of the community.

Leave to bring in the Bill was given by general consent, and it was read a first time without opposition. On the second reading the debate lasted only two nights, and on dividing there was found for the Bill a majority of one.<sup>1</sup>

<sup>1</sup> According to Molesworth's *History of Reform*, this victory was due to the conversion of Mr. Calcraft, who had spoken against the Bill. But it is stated by Sir D. Le Marchant, in his memoir of

Next day, on the Reform Bill being brought in for Ireland, Sir Robert Peel took the opportunity to record a memorable prediction :

When once you have established the overpowering influence of the people over this House ; when you have made this House the express organ of the public voice, what other authority in the State can—nay, what other authority ought to—control its will, or reject its decisions ? The people are the judges of their own interests ; the people are enlightened and well affected to the throne ; the House of Commons is the organ of the people ; who will presume to check its patriotic course ? . . . Even the discussions in which we are at this moment engaged afford an example of the probable power which any authority will hereafter possess to control the voice of a House of Commons much more popular in its origin than the present. Who asks now what course the House of Lords will take with respect to this Bill should it pass the House of Commons ? It seems taken for granted that it must pass the House of Lords—that it would be vain to oppose a measure that extends popular privileges, and is said to be in conformity with the wishes of the people. The same impression will exist in a stronger degree hereafter with respect to all popular measures which a Reformed House of Commons may offer for the acceptance of the House of Lords. The tendency on the part of this House will be to gratify their constituents by popular measures, and to increase their own power ; and the countervailing influence of any other authorities in the State will become gradually weaker, and ultimately owe its bare existence to its practical disuse.

Of this not intemperate forecast, to be largely verified

Earl Spencer, that Mr. Calcraft, at an earlier stage, had communicated privately to the Government his intention to vote for the Bill, and 'it was Sir Andrew Agnew, who, contrary to the general expectation, at the last moment joined the Reformers, and gave them the victory.' This is confirmed by members of his family, who add that his vote was determined solely by his own reflections on the perils to be incurred by refusing Reform.

by the course of events, Mr. Brougham writes to Sir James Graham :

This *radical* speech of Peel's astounds me. I hear the Tories themselves are shocked. It is advertising for a rebellion.

The question, however, of forcing the Bill upon the Lords did not yet arise. Before it went into Committee in the Commons, on an instruction moved by General Gascoyne, that the total number of representatives for England and Wales should not be diminished, the Government were beaten by eight votes.

Foreseeing the possibility of some such decision, some weeks earlier Lord John Russell had been anxious to provide for the contingency.

*March 1831.*

As you will be at the Cabinet to-day, I hope you will call Lord Grey's attention to the present state of things. It is probable that the House will force us into maintaining the numbers of the House. It is essential that, if we should be so forced, we should not give members to all the manufacturing villages of the North. Respectable towns, and three each to large divisions of counties, would be the best bodies to receive the surplus of our schedules.

Such had been Lord John's policy, inclining to accept an instruction to maintain the number. Mr. Brougham also, in one of his undated notes, writes :

*Private and Confidential.*

Above everything, let me warn you, if you would not throw out both the Bill and the Ministry, not on *this* occasion to dream of staking our existence on it.

I only ask any one to consider what possible chance we have of getting our Bill carried, if we hold out this inducement to all our enemies, and even to our friends who hate our Bill, namely : You have only to oppose the Bill, and you *must* throw out both it and us.

The case is a clear one. We are to fight it bitterly,

and give it every chance of success, and if the House are corrupt and selfish enough to throw it out, *we are to go on*, and dissolve when we can. It is time enough to go out if *that* dissolution fails.

Thus two leading Reformers, it seems, could have accepted the amendment. But the Cabinet, judging from other symptoms that there was no hope of the ultimate success of their Bill in the existing House of Commons, resolved to press immediate dissolution. The King reluctantly, but still with a good grace, consented, and dismissed the Parliament of 1830 so hurriedly that the Lords were unable to carry, as they had intended, an address to the Crown against dissolving. Of this a lively account is to be found in Miss Martineau's *History of the Thirty Years' Peace*. She may have got her information from Lord Durham, who in her version plays the same part about the King's carriages as Brougham in Brougham's version about the escort. 'Never mind the carriages,' said the King; 'send for a hackney coach.'

When the news spread through the country, the dissolution was received with general rejoicings. Among the rest, from Ireland came a jubilant note:

*From the Marquis of Anglesey*

*April 24, 1831.*

I give you joy. All is right. We *have* a King, and we *have* a Government. Nothing short of His Majesty's vigour and honesty could have saved him. Success attend you. I shall have my hands here pretty full with Pat, but I hope to manage him.

Also from far India Graham's 'first master' in politics, Lord William Bentinck, expressed his hearty approval of the Bill.

In my last I found fault with your Budget. But all errors have been redeemed by the Reform Bill—a full, complete, and effectual measure. It is a complete revolution of the influence that has hitherto governed the country, and will lead to other measures, necessary to our security, that can only be carried by a Government speaking the sense and supported by the will of the whole country.

An appeal being thus made, on strictly constitutional lines, from the House of Commons—though less than six months old—to the existing electorate, it was soon proved which knew better, Graham and his colleagues, who believed that public opinion ran strongly with them, or Croker, who wrote (April 10), ‘You see, the tide is turning. Depend upon it, Reform has no real hold of the public mind.’ Put to the test, the popularity of the Bill carried all before it.

In Cumberland such was the enthusiasm that the constituency insisted on running a second Liberal candidate, an old friend of Sir James Graham, Mr. Blamire. To this at first Sir James objected, as imperilling both seats, but soon discovered that the bold attempt could be made with every prospect of success. With due recognition of the sitting member’s paramount claim to preference, the two candidates joined forces, and for the fourth time Graham was returned to represent his native county, this time not without a contest, but triumphantly heading the poll.

For Carlisle also two Reformers were elected, for Yorkshire four, and four for the City of London. The close boroughs mostly voted as their patrons wished, against Reform. But it was otherwise with the great towns. Liverpool, long a Tory stronghold, rejected by a crushing majority its old member, the mover of



the fatal amendment. In the counties, regarded by Lord Chatham as the sound part of the electorate, the result was similar. Of eighty-two county members only six opposed the Bill. On the whole, instead of the majority in the old House of one, in the new House—though chosen under the old limited franchises and antiquated distribution, without a single representative from Manchester or Birmingham or Leeds or Sheffield—Ministers could count on a working majority of well over a hundred. During the General Election Lord Grey wrote to Sir James in great delight, tempered only by some anxiety as regards the King :

DOWNING STREET, *May 2, 1831.*

Your good news gave me the greatest pleasure. We have excellent accounts from all quarters, and the result of the elections promises to be most triumphant.

*May 10.*—I wish you joy, with all my heart, of your victory in Cumberland. It is one of the most important that we have gained. Our success has really been most extraordinary.

All our other concerns are, upon the whole, going on well. But there are, as you are well aware, points of considerable difficulty and uneasiness, which we have not much power of improving.

The King does not go to the City. He really is not in a condition, with the gout still flying about him, to expose himself to the fatigue of such a ceremony. But the disappointment is very great, and not unmixed with suspicion, which the enemy increase by asserting, with their usual confidence, that the cause is rather political than real.

The truth is, the King is not in good spirits ; full of uneasiness about what is going on, and dreading the result, as likely to make the House of Commons more unmanageable than ever. His kindness and confidence do not, however, appear to be at all diminished. Nothing could exceed the manifestation of both in a long interview which I had with him yesterday.

In the new House—in deference to the strong feeling of the electors, expressed in the election-cry, ‘The Bill, the whole Bill, and nothing but the Bill’—the second Reform Bill was brought in on much the same lines as the first. It was read a second time (July 7) with a majority of 136. But in Committee it was met by obstinate dilatory tactics, continued for two months, partly in the faint hope that public opinion yet might change, but chiefly with intent to show a fighting front such as might encourage vigorous resistance in the Lords. Strong opposition from that quarter being thus expected alike by enemies and by keen supporters of the Bill, the tone of some of its friends became so angry and menacing as to run a risk of provoking reaction. Against this danger Sir James Graham was on his guard, and made remonstrance, but a private letter about this time shows that in his own mind he was already thinking out effectual means to defeat a hostile majority in the Upper Chamber. He writes to the Marquis of Anglesey :

*July 13, 1831.*

We have had hard fighting in the Commons, and I was not in bed this morning till eight o’clock. We shall win the day ; perhaps, however, by making Peers.

How vigorously Graham himself pressed that form of coercion will be seen in another chapter.

## APPENDIX TO CHAPTER V

BEFORE following the Reform Bill to the Upper House, it will be convenient to place on record here a paper of almost unique historical interest—Sir James Graham's personal recollections of what passed in the Committee of Four who drew the Bill.

Their proceedings at the time were with good reason kept scrupulously secret, and even twenty years later Mr. Roebuck, in collecting materials for his *History of the Whig Ministry of 1830*, found it on this point impossible to obtain at first hand satisfactory information. In his anxiety to do so he appealed to Graham, with whom he was on terms of mutual kind regard, and thus described the embarrassment in which he found himself involved, and the questions that appeared to him to stand most in need of authoritative explanation. He wrote :

*January 2, 1851.*—What you can hardly appreciate, unless you had made a similar attempt, is the perplexity arising from downright honest forgetfulness on the part of the actors in the scenes described. Two thoroughly honest witnesses, anxious to tell only the truth, will sometimes be found differing to a degree absolutely marvellous, and death soon comes to aid the *imbroglio*, so that the bewildered historian finds himself a traveller either without any, or with many conflicting and misleading, charts and maps. In this difficulty there is nothing to be done but to stop and inquire, if you can.

To me, knowing now pretty accurately the general history of the Whig party from 1780 to 1830, the extent of the Reform proposed by the Government of Lord Grey appears remarkable.

Lord Grey himself had long given up his dreams of

1793, and said so on taking office. Brougham even hated and feared an extensive Reform ; all the leading Whigs had of late years quarrelled with the Radicals ; and Lord Melbourne and the rest of Mr. Canning's friends were pledged to oppose all Reform.

This is to some extent confirmed by Lord John Russell, who writes :

The Cabinet of Lord Grey contained very few members who had supported proposals for the Reform of Parliament. Lord Palmerston and Mr. Grant had, with Lord Melbourne, followed Mr. Canning in his opposition to Parliamentary Reform. Lord Lansdowne and Lord Holland had never been very eager on the subject.<sup>1</sup>

Mr. Roebuck continues :

I know that out of doors the pressure was strong, and that Lord Brougham asserts that his proposed reform of November 1830 was large and sweeping ; and yet, all this notwithstanding, the Bill as proposed startled everybody—the friends as well as the opponents of Reform.

How came it that the proposal was so extensive ? That is my question. I look to the persons who framed the measure, and I own I am fairly puzzled.

Lord Durham hated the Radical party, and often furiously abused them. He as well as yourself took an active part against John Hobhouse in the Westminster election of 1819, and at Newcastle he, together with Lord Grey, had uttered a violent diatribe against the wild doctrines of the far-going Reformers.

As for Lord John Russell, his opinion of what was needed could easily be gathered from his milk-and-water proposals when he talked upon his little motions. Of Lord Duncannon's opinions I know nothing ; I suppose they were simply those of his party.

How then came it that you were bold and wise enough to frame so large a plan ? What, who, inspired you ?

<sup>1</sup> *Recollections, etc.*, p. 69.

Never was the political maxim that large and bold measures are generally the safest more completely verified, but I stand and gaze in astonishment at the Bill as you produced it.

Can you by any suggestions or recollections aid me to solve my difficulty?

1. Who drew the first draft of the Bill?

2. Did one mind cast it, or was it the result of divers suggestions?

3. If of divers suggestions, what parts were suggested, and by whom?

Lord Durham has the credit of all the boldness and liberality—I cannot bring myself to believe deservedly.

Any reply from you will be held sacred by me, and I am vain enough to believe that you are not unwilling to put faith in my discretion as well as my honour.

From Lord Brougham I have received without stint letters and papers, and a strange medley they are. But not having both sides of a correspondence compels one to make guesses. I have Lord Grey's letters to Brougham, but not those of Brougham to Lord Grey. I have yours, but not Brougham's to you, and so on.

Presuming upon the many very kind things you have done by me, and kind words too—rare things for me to hear—which you have used concerning me, I have written this long letter, which I pray you to excuse.

In replying to Mr. Roebuck, Sir James Graham did not feel himself at liberty to communicate the contents of the letters he had received from others. Such of them as seem suitable for publication appear for the first time in the present pages. Neither did Sir James think it open to him to discuss so freely as the intending historian does the weaker points of his colleagues. But his own acts and motives he was willing to submit with perfect frankness to an impartial scrutiny, so far as they could be stated without violation of Cabinet secrets, which now, half a century later, may be quite harmlessly revealed.

He writes by return of post :

NETHERBY, *January 4, 1851.*

I will answer your letter as frankly and as fully as I can.

My papers of public importance are in London. Moreover, that 'downright honest forgetfulness,' of which you have had experience in others, is creeping over my memory of transactions long since past, and disables me from giving so accurate a narrative as the historian would desire. I have never kept a journal, and I possess no record of the part which I have taken in public affairs, except copies of some of the letters which I have written, and original letters addressed to me, together with documents of a confidential nature which from a sense of their importance I have been induced to keep.

It is difficult to decide when the seal of secrecy may fairly be removed from testimony of this nature. We are anxious always to do ample justice to ourselves, and this overweening desire often tempts us to forget what is due to others, especially when the bonds of private friendship and political union have been broken ; or when we are fighting our own battles among the living, forgetful, in the heat of the conflict, of the duty which we owe to the memory of the dead.

My inclination, therefore, is not in my own lifetime to give publicity to papers of this description. I am disposed to leave them arranged and in order, available for use when I am gone ; and then the relative merits and demerits of all parties concerned may be fairly weighed, and truth and justice will award the prize of fame.

Such, then, being my feelings, you lose nothing when I convey to you my recollections only ; for I should be unwilling to support them by documentary evidence of a confidential nature.

After this preface as to confidential papers, Sir James Graham proceeds to give his personal recollections.

You are aware that for two or three years before the formation of Lord Grey's Government I had taken a line

which was considered radical on questions relating to public expenditure ; and when I was unexpectedly asked by Lord Grey to form part of his Administration—an honour never solicited by me—I was admitted into his Cabinet as a Whig and something more. Reform and Retrenchment were the watchwords which led me to power.

You attach importance to the fact that Lord Durham and I in 1819 opposed Hobhouse in Westminster. You must remember that eleven eventful years intervened between that election and the overthrow of the Duke of Wellington's Government. In 1819 we were both young ; we had enlisted as Whigs, who delight in the assertion of democratic principles only when wearing the garb of aristocracy. Brooks's were unanimous in their dislike of Tailor Place<sup>1</sup> and the Westminster Rump ; and fashion, and Melbourne House, and Whig connection, and family pride, and jealousy of Burdett, were the real causes of the opposition to Hobhouse, much more than hostility to his principles of Parliamentary Reform.

The death of Canning, the expulsion of Huskisson from the Duke's Administration, the refusal to transfer to Manchester the seats voided at East Retford, the party disappointment of seeing Roman Catholic Emancipation carried by its enemies, the pledge given by the Duke that Parliamentary Reform in its mildest shape would be inexorably resisted by him, gave an impulse to this one question of Reform the force of which you cannot now calculate ; and all the passions and all the hopes of an angry and disappointed Opposition, notwithstanding different shades of wishes and of opinion, were concentrated in a combined effort to carry Parliamentary Reform.

Brougham, the triumphant member for the County of York, then in the zenith of his fame, power, and popularity, gave his notice of motion for Reform in November 1830 ; and this notice, though general in its terms, was avowedly large and comprehensive in its objects, and was adopted as such at a full meeting of the party

<sup>1</sup> Francis Place (1771-1854), a London tailor, 'regarded as the source of Radical inspiration. His power lessened after the passing of the Reform Bill' (*Dictionary of National Biography*).

assembled at the Albany. The blast of that trumpet shook the Duke's Administration to its fall, and Lord Grey was called on to form a Government, with Brougham's notice standing on the journals of the House for an early day.

In these circumstances a Minister less wise and honest than Lord Grey could not have dared to palter with such a question, or to trifle with the excited hopes and expectations of the nation. But Lord Grey was a sincere and steady Reformer. In the first whirl of the French Revolution his head may have been turned, and his opinions may for a time have verged towards Republicanism. But on the whole his mature judgment gave the preference to the regal form with a large counterpoise of popular influence and strength ; and my intimate persuasion is that the Reform Act embodied what his heart and conscience entirely approved. I never was the flatterer of Lord Grey, and my praise cannot now warm the dull cold ear of death. I may assure you therefore emphatically that he was an honest man, that he loved his country, that he gloried in its liberties, and that it was his pride and object to consolidate and to extend them.

From the first formation of his Government he never ceased to contemplate the redemption of his pledge that a large and efficient measure of Parliamentary Reform should be proposed by him as Minister ; and when he nominated the Committee to which the framing of the first draft of the measure was confided, he selected Lord Durham, his son-in-law, who enjoyed his confidence, and who had known for years his private views and opinions on the subject ; he named Lord John Russell, who, like Lord Durham, had in Opposition brought the question before Parliament, and who enjoyed with the popular party a rising reputation ; he added Lord Duncannon on account of his acquaintance with borough history and details, more especially in Ireland ; and I was considered not unworthy of a place in that Committee because my zeal for Reform was supposed to exceed the standard measure of the Whigs, because the Radicals did not regard me with disfavour, and because my intimacy with Lord Durham and with Lord John Russell ensured our cordial co-operation and union.



The instructions of Lord Grey to this Committee, with the full consent of his Cabinet, were, that the outline of a measure should be prepared, large enough to satisfy public opinion and to afford sure ground of resistance to further innovation, yet so based on property, and on existing franchises and territorial divisions, as to run no risk of overthrowing the form of Government which we desired only to amend.

Such were the instructions of Lord Grey, and such were the wishes and intentions of the leading members of the Administration.

The Committee met frequently, and discussed in the most amicable manner first the principles and then the details of the scheme of Reform which was ultimately submitted to the Cabinet. Lord Durham held the pen, and committed to writing from time to time the points which were fixed by our agreement; Lord John Russell furnished the materials on which Schedules A and B were framed; the metropolitan subdivision of the representation was pressed by Lord Durham; the enlargement of the right of voting in towns was felt at once by all to be indispensable. The freemen were hopelessly corrupt, and a franchise resting on annual rent, and on the payment of rates and taxes, was by common consent soon admitted to be the remedy.

In the first draft of the measure which we presented to the Cabinet the annual value, if I mistake not, was £15 or £20, not £10. But it has transpired that in this draft it was also proposed that votes should be given secretly by ballot; and when, after full discussion in the Cabinet, this suggestion of Ballot, which was made by the Committee *ad referendum*, had been rejected, the value by way of compromise was reduced from £15<sup>1</sup> to £10.

No Bill was drawn until the consent of the King and of the Cabinet had been obtained to the plan of the Committee, with modifications. That plan was detailed in writing by Lord Durham, who reported on behalf of the Committee, in a paper drawn by him and settled by

<sup>1</sup> In Sir James Graham's 'secret' copy of the draft Bill the figure is £20.

us, wherein we sustained by reasoning the form and the extent of our proposals, and endeavoured to show that the plan was in unison with the instructions of Lord Grey; that it was no bit by bit Reform; that it ought to satisfy, both by what it destroyed and by what it created; that it was safe in itself, and still more so as a tower of strength in covering future resistance to dangerous projects of ulterior change.

The measure therefore must be regarded as the fruit of Lord Grey's instructions to the Committee; as the compound of the deliberations and of the suggestions of the members composing that Committee, and as the ultimate compromise of the various opinions in the Cabinet, with whom the final decision rested.

It must be remembered always, in estimating the value of the great work which was then accomplished, that the consent of a reluctant King was to be obtained, and that the scruples and fears of timid and unwilling colleagues were to be overcome.

On the whole a bloodless revolution was then achieved; and though, judging of the general character of some of the principal agents in that great transaction, and weighing either their former or subsequent conduct, you may be surprised at the part which they then took, yet they were faithful on that trying occasion, and success was only ensured by every man's doing his duty.

The various motives which conduced to this happy end are buried in the graves of some, and are hidden in the hearts of others. I will not pretend to unveil them. The most unworthy may well be pardoned on account of the good which they contributed to secure; the worthy—and they greatly predominated—are entitled to receive justice at the hands of the historian, and are not to be censured on a bare surmise.

I have now given to you a cordial proof of my confidence and goodwill. I have answered your letter without reserve. To the best of my recollection the representation which I have laid before you is faithful in every particular. I have betrayed no confidences; I have been swayed by no motive but the love of truth.

I shall be glad indeed if I have succeeded in removing any erroneous impression which had been made on your

mind, or in softening any harsh judgment which you may have formed. At all events you will be convinced that I could not have written with this ease and freedom to any one whom I did not esteem and trust.

To write an impartial history of a great event which is the boast of a living Prime Minister<sup>1</sup> is indeed a difficult task ; to be tender towards the memory of one who is gone<sup>2</sup> and can no longer defend himself is more easy, and congenial to the generosity of your disposition. You will be both just and generous, and I sincerely hope that your intended publication may exalt your character, and be a faithful and enduring record of a memorable event in the history of our country.

Mr. Roebuck replied :

I find a strange confirmation of my views in your description of the circumstances which led to the Reform Bill. I am persuaded that Lord Grey, when in perfect good faith he determined to propose a measure of Reform, had no very fixed conception of what it ought to be, and if in November 1830 a fairy had made present to his mind the Bill eventually proposed he would have started with something like terror. When you see the evidence brought together, I suspect you will agree with me.

Opinion advanced at that time by a bound. The onward tide was like Scamander after Achilles :

The waves flow after, wheresoe'er he wheels,  
And gather fast, and murmur at his heels.

So was it with Lord Grey and his colleagues. They obeyed, wisely obeyed, the voice of the nation ; and for the wisdom of timely and even willing and eager concession they deserve the gratitude of their country. But certainly, in my opinion, the strong desire for Reform on the part of the nation was not due to the Whigs.

<sup>1</sup> Lord John Russell.

<sup>2</sup> Earl Grey.

## CHAPTER VI

1831-32

### REFORM BILL IN THE LORDS

The Lords throw out the Bill—Popular Tumults and Outrages—Resolution of the Commons—The King declares against Creation of Peers—Graham tenders Resignation—His Argument for Creating Peers—Communications with the King—Graham's Summary of Arguments—The Cabinet converted—The King refuses—The Grey Cabinet resigns—Failure to form a Tory Government—The King yields—Lord Grey resumes Office—Taylor's Letter—The Bill becomes Law.

**T**HE Reform Bill had passed the Commons on September 22, and all minds were at once absorbed in two questions—What will the Lords do with the Bill? and, What will then be done with the Lords?

The first question was soon answered. On October 8 the Lords threw out the Bill by a majority of forty-one.

The second question remained—What will the People, the Commons, the King do?

The People left no doubt as to their mind. Angry crowds and personal violence in London; wild excitement throughout the country; furious outrages in many populous places—at Nottingham the burning of the Castle; at Bristol the firing of the Bishop's Palace, the Mansion House, the Custom House, the gaols, and many private houses; at Bath, Worcester, Coventry, Warwick, and elsewhere, riotous mobs; in the great unrepresented towns, such as Manchester and Birmingham,

the alarming proceedings of Political Unions—are recorded in history.

The House of Commons also lost no time. The Lords having thrown out the Bill on a Saturday, on Monday it was moved in the Commons :

That, while this House laments the present state of a Bill in favour of which the opinion of the country stands unequivocally pronounced, it feels itself imperatively called on to reassert its firm adherence to the principal leading provisions of that great measure, and to express its unabated confidence in the integrity, perseverance, and ability of the Ministers, who, in introducing it and conducting it so well, consulted the best interests of the country.

This resolution was carried the same evening by a majority of 131.

But what most concerns, it will be seen, a biographer of Sir James Graham, is neither the tumults of the people, nor the action of the House of Commons, but the pressure brought to bear on the Lords through the King.

It had become more and more evident that only in that way could the firm resistance of the Peers be overcome, and the two Ministers who had seen this first and most clearly were the Lord Chancellor and Sir James Graham. As early as on September 3 Lord Grey had written to Graham :

I have just read a long paper [from Brougham] on the subject of a large creation of Peers, ably argued as anything from him must necessarily be, but not carrying complete conviction to my mind.

Graham's own arguments will be given later.

The King, on hearing of the loss of the Bill, wrote in discouraging terms.

The majority was not larger than he had expected. He had long anticipated this result, and the consequent collision between the two Houses. If that state of things should continue, it must be fatal to the interests of the country. And the evil could not be met by resorting to measures for gaining a majority in the House of Lords which no Government could propose, and no Sovereign could consent to, without losing sight of what was due to the honour of the Aristocracy, and the dignity of the Throne. Still, His Majesty would view as one of the greatest evils resulting from what had passed the retirement of Earl Grey and his colleagues. He trusted such would not be the result of that day's Cabinet meeting.

Upon this ominous communication the Cabinet took two days to deliberate, and then resolved unanimously to remain in office, but only on condition that they should have power to propose again to Parliament, with the fullest indications of the King's approval and support, a measure founded on the same principles and of equal efficacy with the rejected Bill.

To these terms, as for the moment sufficient, Graham agreed. He wished to avoid such exciting phrases as that of Lord John Russell, who (the King complained) 'in a public letter from one of His Majesty's confidential servants, had described the opposition of a large body of the aristocracy, and of a majority of the House of Lords, as "the whisper of a faction."' Indeed, on language not much more unconstitutional, used in public by an officer of Marines, the King had written to Sir James :

ST. JAMES', *September 24, 1831.*

The King cannot—without losing sight of what he considers to be his Duty, and without appearing an indifferent observer of the attempts which are daily made to undermine and overturn the Throne, by assailing its main support, the Aristocracy—pass without notice

the expression used at a meeting of the Corporation of London by Colonel Torrens of the Royal Marines, and repeated by him last night in the House of Commons ; namely, 'If the House of Lords should persist in rejecting Reform, might not the House of Lords be placed in Schedule A. ?'

The King deems this a very fit occasion for the exercise of His Prerogative in the Removal from his Service of an Individual who has thus committed himself, and shown the cloven foot ; but before he directs that Step to be taken, He desires that Sir James Graham will bring the Question before the Board of Admiralty and submit their Sentiments upon it to His Majesty.

WILLIAM R.

On this command Sir James had of course consulted the Prime Minister, who replied :

EAST SHEEN, *September 25, 1831.*

I think, and I trust the Cabinet will think, that we must positively resist the proposal to dismiss Colonel Torrens.

I do not mean to justify, or even to palliate, his language. It was indecent, violent, and indefensible. But it was, after all, no more than one of those exaggerations into which men are betrayed in speaking, and more especially when excited by popular applause ; and it meant no more, in truth, than to state the danger to which the House of Lords may expose itself, of which no reasonable man can be without apprehension, by pertinaciously opposing itself to the whole force of public opinion, in resisting the Reform Bill.

For such an indiscretion surely the penalty of dismissal from the service would be, in any case, too severe. But what a storm of public indignation it would bring down upon us ; and it would in all probability decide the question in the House of Lords. Such an expression of the King's displeasure would be received as an indication of his general dislike of the Bill ; more especially when it should be seen that, whilst a popular ebullition is thus severely visited, the officers of the Queen's Household are suffered to retain their places after the most violent opposition to the Government. This im-

pression would be sealed by our weakness in giving way to such a measure. . . . My opinion is clear, positive, and decided, that we cannot acquiesce in the course proposed.

Graham, however, though careful in public speaking, had been in correspondence and in accord with zealous Reformers, of whose tone examples follow.

*From the Lord Chief Baron (Abercromby)*

*September 4, 1831.*

The enemies of Reform are deceived if they think that the zeal of the people has abated. I hope, for the sake of the country, they will not bring the question to the test by rejecting the Bill in the Lords.

*To the Lord Chief Baron*

*September 6, 1831.*

The country rests only in the belief that the Lords will not be mad enough to oppose themselves to the King, his Ministers, and the people. If they deceive themselves by any false notions of diminished eagerness or of lukewarm indifference, they will be awakened from their day-dream by a voice of thunder, which will shake their House to its foundations.

*To the Marquis of Anglesey*

*September 15, 1831.*

I quite agree with you, that all is lost if the Bill be defeated. It will go up to the House of Lords on Thursday next, and this country is within a fortnight of the real crisis of its fate. Lulled by false hopes of the indifference of the country with respect to our measure, a majority of the Lords are, I fear, prepared to rush on their own destruction, and strong measures alone can arrest them in their mad career.

*From Mr. Charles Western, M.P.*

Where is the objection to making a Reform in the upper as well as in the lower House? It is equally—nay, it is more necessary. No Whig or liberal Ministry can ever stand unless there is a strong infusion of fresh



blood. The Tory strength has been growing there for the last sixty years, till it has become too powerful for King and People.

To this Sir James replied :

I can only assure you with sincerity that the opinions of so tried and honest a Whig are always received by me with great respect, and are entitled to the anxious attention of my colleagues. The early meeting of Parliament will soon prove, both to our enemies and to our friends, the stoutness of those in power, with whom through life you have acted.

In October Lord Durham wrote suggesting that the Cabinet were in doubt as to maintaining the chief principles of their Bill.

SUDBROOK PARK, *October 19, 1831.*

DEAR GRAHAM,

I see no difficulties whatever in the position of the Administration. The course is plain and obvious. Timidity and indecision may cause your ruin ; but if you are true to the People and the Bill, you are more firmly seated in your places than ever. If you abandon the leading principles of the Bill, either in disfranchisement, enfranchisement, or extent of elective qualification, you lose the people, and, public support once withdrawn from you, you will not have that of the King for four-and-twenty hours.

Do you think he keeps you in now because he likes you on Whig principles ? Far from it. He does so because the people would not sanction a Tory Government for an hour. In his heart he is as much a Tory as ever, but public opinion controls him. This is now in your favour ; mutilate the Bill, and you lose it. And last, although much the least, you lose

Yours very truly,

D.

Of all Durham's colleagues Sir James Graham was perhaps the least inclined to indecision on Reform.

A month later, finding that a Cabinet, from which he was absent, had decided to summon Parliament without taking any notice of the King's announcement to them that he would refuse to obtain a majority by making Peers, Graham felt so strongly the imprudence of thus risking a second rejection of the Bill that he resolved to insist on taking security against such a peril, even if in this he stood alone.

*Viscount Althorp to Earl Grey*

DOWNING STREET, November 23, 1831.

After the Cabinet Graham came to me, and said he felt himself very much embarrassed, by being convinced that if the Bill was rejected a second time by the House of Lords, the most disastrous consequences would follow ; and he thinks we are not justified in running any hazard of such an event.

His idea therefore is, that we should immediately secure to ourselves the consent of the King to make the requisite number of Peers, whatever that number may be, pledging ourselves that we will not act upon such consent without necessity ; and if the King refuses his consent, that we ought immediately to resign.

I told him that I felt a very decided objection to making any great number,<sup>1</sup> and that I was convinced the Cabinet would not agree to make this application to the King.

His answer was, that if this was the case he had made up his mind to resign. I advised him to speak to you about this to-morrow.

If he perseveres in bringing the matter forward, and with the intention of resigning in case of failure, our days are numbered. For any one Minister going out on this ground, in the present state of feeling of the country, must be fatal to us ; and the only way this could be avoided would be, that the Cabinet should be unanimous in giving this advice to the King, and that the King should accept it.

<sup>1</sup> Yet in October Althorp had written to Brougham : 'The number to be made should depend only on the number required.'—Brougham's *Memoirs*, iii. 129.

After going into the question fully with Lord Grey, and reflecting further on the whole situation, Sir James Graham, though profoundly convinced of the necessity for an express understanding with the King, yielded to persuasion, but only so far as not abruptly to break up the Cabinet by immediate resignation. He reserved the right to urge his proposals at any future stage of the Bill on all his colleagues ; while for the present he placed in the hands of the Prime Minister and of Lord Althorp a long and ably reasoned statement of the grounds for his conviction.

*Memorandum by Sir James Graham*

ADMIRALTY, *November 25, 1831.*

Having been absent from the Cabinet when it was resolved to reassemble Parliament, I lost the fit opportunity for bringing under the consideration of my colleagues the necessity of coming to an early understanding with the King on the subject of Creation of Peers, in the event of such a measure being found indispensable as a security against a second rejection of the Reform Bill.

My conviction is, that this rejection would be followed by the most fatal consequences. No political evil I can contemplate appears to me more dangerous than a majority of the House of Lords obstinately opposed to the will of the King, to the votes of the House of Commons, and to the declared opinion of the nation.

There are only two modes by which such a majority can be neutralised. The first is concession ; but this I throw aside as impossible, for we are bound to bring forward a measure not less effectual, and therefore to the Lords not less obnoxious, than the last. The only other hope of shaking the adverse majority is concentrated in their fears.

It is probable that with the Bishops some such feeling may have influence ; but I am slow to believe that in a noble and high-spirited Assembly of English gentlemen fear should be found the predominant motive of

action. Nothing has taken place since the last rejection of the Bill which was not anticipated by the majority, or which could justify a change of opinion founded on the increase of apparent danger.

On the contrary, success in Dorsetshire is vaunted as a proof of reaction ; Lord Sandon and Lord Harrowby cite Liverpool as evincing a preference for a measure more moderate than ours ; the merchants and bankers in the City, acting in avowed concert with this same majority, within the last two days, have refused to recognise the first principle of our measure, the disfranchisement of the nomination boroughs.

What, then, is our strength ? and where are our weapons of defence ? Our strength is in the confidence of the people, and the support of the House of Commons, which we cannot lose, if we are true to the great principles of our measure. Our weapons are the exercise of all the powers and prerogatives of the Crown, which, if the King be with us, in this emergency we are justified in using without reserve for the benefit of his people ; and if he be not prepared to trust us, our efforts are vain ; we cannot save him.

Immediately after the rejection of the Bill in the House of Lords, the King addressed a letter<sup>1</sup> to the Cabinet, in which he expressed a wish that we should continue to serve him, but stated his conviction that we should not call on him to overcome the adverse majority in the House of Lords by a large creation of Peers.

After our defeat, on the receipt of that letter, the bias of my inclination and of my judgment would have led me to resign. But national excitement, arising from recent disappointment, was then at its height ; a change in the Executive at that moment would have been the signal for anarchy ; the popularity of the Ministers made them the best guardians of the public peace ; a breach with the King would have endangered the Throne ; and every sentiment of loyalty and of patriotism forbade us from deserting the King's service at that juncture ; consequently we were restrained from

<sup>1</sup> See p. 125.

even discussing his express reservation with respect to the creation of Peers.

In our answer to the letter we studiously omitted all reference to this point, Lord Grey indeed asserting that he could never counsel such a creation. But I and, as I believe, others<sup>1</sup> of my colleagues, thinking the discussion then inopportune, were content to let it rest till a more convenient season, and consented in the answer to take no notice of the objection. Not that our own silence was to be misconstrued into assent; but we yielded to the sense of danger, which would have arisen from an open rupture with the King on that subject and at that time.

My fixed opinion was that, before we reassembled Parliament, and launched for a second time our measure in the face of an adverse majority in the House of Lords, a distinct explanation with the King on this subject of making Peers was indispensable.

Those who even in the last extremity would not be prepared to use this prerogative of course do not object to the refusal to concede it, and do not desire a power which they would not exercise. But I—who rather than see the Reform Bill a second time rejected would run the risk even of a large creation of Peers; who think the known possession of the power the surest means of averting the necessity of using it; who dread public calamity and personal disgrace as the certain consequences of a second defeat, especially if it proceed from a neglect to provide the proper remedy, or rather from our consent after ample warning to forego it—I, entertaining these opinions, attach more importance than I can easily express to a frank and immediate explanation with the King.

Our position will be disastrous, if we carry our measure through the House of Commons to the entire satisfaction of the nation, and stumble again at the threshold of the House of Lords. The Bishops may give way; the Peers who have flattered us with hopes of concession may falter; fifteen or twenty new Peers from the ranks of

<sup>1</sup> Graham had reason to count on the support of Brougham and of Durham. See Durham's letter, a month later, to Lord Grey, *Life of Lord Durham*, by Stuart J. Reid, p. 270.

our friends would win the day ; and at last we determine to go to the King, and ask his consent. What then will be our confusion when he peremptorily refuses, and reminds us that we were forewarned long ago, before we reintroduced our measure, and that we never once remonstrated ? . . .

I waive the mention of all minor considerations. I fix my view of the case on what is due to the public safety, and to the King, who should not be allowed for one moment longer to rest in the false persuasion that it may not at last be our paramount duty to counsel a fresh creation of Peers.

I have lost the fit opportunity of pressing these opinions in the Cabinet—the proper moment was before the decision had been taken to assemble Parliament ; and having ascertained that Lord Grey, the head of the Government, and Lord Althorp, the leader in the House of Commons, both decidedly differ from me in the view I take of this subject, I am not disposed to force the agitation of the question in the Cabinet at a moment when it might give rise to fatal dissensions, and destroy every hope of the success of the measure which I am anxious to secure.

The only course which it would better become me to pursue, would be to resign my office ; since conscientiously I differ from my chiefs in a matter of such high importance.

But, on the other hand, when I weigh the authorities from which I dissent, I am bound to mistrust my own judgment. At all events, I am unwilling to act upon it, when I consider that the circumstances of the moment might give a degree of importance to my resignation not really belonging to it ; and that it might even seriously embarrass the King's Government at a crisis of such unexampled difficulty and danger.

I am content, therefore, to record my objections, but to surrender my judgment to authority ; and I shall abstain from communicating the opinions expressed in this paper excepting to Lord Grey and to Lord Althorp. But I reserve to myself the right of proposing to the Cabinet the question of urging the King to a creation of Peers in any future stage of the Bill.

In a covering note Sir James writes to Lord Grey :

I send you a paper which contains a faithful statement of my opinions, and of my final determination.

It gives me pain in any degree to differ from you. But I have the satisfaction of surrendering my judgment to my respect for you ; and I can make no greater sacrifice, and give no more direct proof of my grateful attachment and regard.

I shall not mention the subject to any of my colleagues. Althorp alone has read the paper, and perhaps you will keep it, and allow it to rest as confidential between us.

And confidential it has remained for seventy years.

These views Sir James Graham appears to have pressed soon afterwards with success upon Lord Althorp, who writes to him :

DOWNING STREET, *December 29, 1831.*

We have a Cabinet about the Peers on Monday [Jan. 2], when I expect our decision will be for the creation. How many will go out upon this I do not know, but I think some will.

In the published *Correspondence of Earl Grey* there is no direct record of this Cabinet, but fortunately it can be supplied by a letter from Mr. Stanley.

*January 2, 1832. Confidential.*—Our Cabinet was very long, but more amicable than I expected. Durham read a recommendation of his own <sup>1</sup> to make forty or fifty Peers—not ill argued, but not even discussed.

The question then arose—after hearing two letters from the Chancellor <sup>1</sup> in favour of a good batch—of coming to an explanation with the King, to which I think nobody objected. The question of an immediate creation of fifteen led to a discussion in which the parties stood thus—Grey, Durham, Althorp, J. Russell, Holland, Grant, Carlisle : Melbourne, Richmond, Palmerston, Lansdowne, Stanley.

<sup>1</sup> For these letters see Brougham's *Memoirs*, iii. 158.

It was ultimately agreed that Lord Grey should go down and state to the King the probability of its being necessary at some future time to bring before him the question of creating a considerable number of Peers, and, as an indication that H.M. considered such a step as an open question, Lord Grey should propose to him an immediate creation of two Peers and not more than eight eldest sons. Should the King declare that under no circumstances would he consent to a further number, he is not to be pressed to make them.

Palmerston, I think, alone protested against being pledged even to consent to a large batch. Goderich, you, and the Chancellor, who has been and is ill, were the only absentees. Lord Grey very desponding, Palmerston bored, Melbourne more hesitating than I ever saw him, Grant balancing which was the greatest danger till he came to no conclusion at all. The rest much as usual.

Lord Grey himself has placed on record a long minute of his conversation with the King on January 4, 1832. By that time it had been ascertained that even on the second reading there might be an adverse majority of twenty; and, if the second reading were carried, there might be amendments in Committee, fatal to the efficiency of the Bill, to which the Government could not consent. It was thus impossible to delay looking to 'the fearful alternative' of either incurring all the danger attending the loss of the Bill, or of preventing it by the use of the means which the prerogative of the Crown afforded for meeting such an exigency. The danger appeared now even to Lord Grey to be of the most formidable nature.

'A disappointment would be fatal to the peace of the country; the House of Lords would incur a danger threatening its very existence; and the Administration, and perhaps the King himself, exposed to a degree of



odium proportioned to the confidence they at present enjoyed, would be involved in the common danger. For the purpose of averting this peril, Lord Grey now at last saw nothing left but a creation of Peers. It was painful to him to propose a measure to which he knew that His Majesty objected, and to which he himself had originally had the greatest objections, but he was convinced it had become necessary for the safety of the country. He had stated this view of the situation to the Cabinet ; several of his colleagues concurred with him, and perhaps went farther ; others still appeared to entertain a strong sense of the objections ; but the result of their deliberation had been to authorise him to submit the whole matter to His Majesty's consideration, on the ground of making a partial addition to the House of Lords at present, and being allowed to propose a further addition hereafter, if it should be found necessary.' <sup>1</sup>

All this the King under pressure was willing to take into consideration, but desired the advice of the Cabinet to be submitted in writing, which accordingly was done, and in very strong terms. 'The expediency of making an addition to the Peerage'—the Cabinet Minute ran—'must depend upon His Majesty's being prepared to allow to his servants the full extent which may be necessary to secure the success of the Bill.'

This pledge the King refused to give 'without attaching to it the positive and irrevocable condition that the creations of new Peers shall under no circumstances exceed the three to which he had already agreed,' <sup>2</sup> the other additions being made by calling up eldest sons, or collateral heirs, or, in the last resort, Scotch and

<sup>1</sup> *Correspondence of Earl Grey*, ii. 69.

<sup>2</sup> *Ibid.*, p. 113.

Irish peers 'from the oldest and most distinguished houses.'

The drama now approached its crisis.

On the one side stood Wellington, like Canning, 'the uncompromising foe of all Parliamentary Reform'; with him Peel, the advocate now, as Grey and Russell used to be, of 'moderate Reform'; and behind them a phalanx of Peers and patrons, and merchants and bankers in the City of London, prepared to fight to the last for the principle of nomination against effective representation of the people.

On the other side were—the King, pledged to 'an extensive Reform,' but in conscience opposed to such use of his prerogative as should compel one House of Parliament to surrender to the other; Grey, stout for the principle of representation in lieu of nomination, still regarding the new borough franchise as aristocratic,<sup>1</sup> and still confessing 'extreme repugnance' to the proposed creation of Peers, as 'a measure of extreme violence'<sup>2</sup>; Brougham, wishing to preserve small boroughs, but to give a wider suffrage; and Russell, glorying in the Bill as 'a revolution.' Supporting them were the great unrepresented towns—Manchester, Leeds, Sheffield, and Birmingham, with its notice 'No taxes paid here, until the Reform Bill is passed'; the manufacturing classes, whose influence in Parliament as yet was small; and the masses of the unenfranchised people.

In presence and in view of all these conflicting forces

<sup>1</sup> So late as on May 29, 1832, Lord Grey wrote: 'The right of voting, taken generally, will be found much less popular than the old one, and you must not be surprised if you find even those who are now opposing the Bill declaiming against it as "too aristocratic."'

<sup>2</sup> *Correspondence of Earl Grey*, ii. 268.

Graham thought it high time for a further effort to convince the Prime Minister of the necessity for more vigorous action.

*To Lord Grey*

ADMIRALTY, *March 9, 1832.*

I am unwilling to recapitulate arguments so often and so fully urged ; yet the summary is striking.

It is clear that the House of Lords now stands before the public pledged by a large majority to resist even the first principle of Reform ; that in ordinary cases the proof of the necessity rests with the Government which has recourse to so strong a measure as the large creation of Peers, but that here the necessity has been demonstrated to the entire satisfaction of the great body of the nation ; that with the full tide of public opinion in our favour we are at present able to make Peers to secure the principle of Reform itself ; that in no subsequent stage shall we possess the same advantage, since the principle will have been conceded, and the difference will arise on some detail ; that if we carry the second reading by the assistance of our declared enemies, we know beforehand their intention of mutilating our measure in the Committee ; that during this conflict we shall sustain repeated defeats, which will deprive us of public confidence ; and that, when at last we are driven to press for the creation of Peers as the only resource, we shall find the King reluctant, because it will be contended that the changes made in our Bill are not sufficient to justify the remedy ; and we shall find the nation alienated from us, because we shall have disappointed their hopes, and baffled their just expectations.

I am also persuaded that immediate failure, after a bold and strenuous attempt to carry the measure, would be less disastrous to the country than partial success ending ultimately in defeat. This last event would for ever destroy the public character and usefulness of every member of the Cabinet, since our defeat would be ascribed to a want of energy which shrank from the use of the full power entrusted to us by the Crown.

The fall of an Administration is not often a public calamity, and Ministers themselves are not the best judges

of its extent at any time ; but at this moment the present Cabinet contains within it the only men who have a chance of governing the country on the principles of freedom, and at the same time of stemming that flood of democracy which has already set in with so much force.

I am particularly anxious to press on your consideration another view of the case, arising from a combination of circumstances which appears to me highly probable, and which, if it should occur, would involve us in fatal difficulties.

I will suppose that we carry the second reading, by the aid of Lord Harrowby and his coadjutors, without making Peers. The Duke of Wellington has said that in that case he and his adherents will secede from the Committee. We shall then be left masters of our own measure in all its details ; in honour we could not yield a single point of the least importance to a minority which we might control ; and even if we were willing to make concessions in such circumstances the country would not tolerate compliance. The Bill, therefore, would come unchanged out of the Committee ; Lord Harrowby and his friends—for the sake of character, consistency, and their own principles—must vote against it on the third reading ; and of course the Duke of Wellington, with all the uncompromising opponents of the measure, would make common cause in the last effort to destroy the ‘noxious’ Bill. Then it would be too late to foresee the certainty of defeat ; the second reading will have been carried ; throughout the Committee we shall have had a majority ; and with what chance of success could we press the King, even if we agreed among ourselves, to make a large number of peers to carry the third reading, on the mere speculation that we might be in a minority after a series of votes which would seem to negative all chances of danger ?

† The amendments moved in the Committee would demonstrate to the country the precise extent of the changes in our measure which Lord Harrowby and his followers required ; all confidence in us being lost, for the sake of peace and of a settlement which at the moment might seem to be final, the nation would be disposed to

adopt them ; and the Duke of Wellington and Sir Robert Peel would not be found unwilling to form a Government on our ruins ; and under cover of being driven to the compromise, they would carry our measure, subject only to the amendments which you had rejected in the Committee.

My fears, therefore, are almost equally great, whether we succeed or fail in the second reading, unless Peers be now made.

And even if it were permitted to look beyond the Reform Bill, I am persuaded that a large infusion of popular spirit and feeling is wanted in the House of Lords ; and that the Government of this country can never be conducted on Liberal principles in accordance with public opinion, which every day acquires fresh power in the House of Commons, unless a counterpoise be established in the House of Lords to the weight of Tory influence created there by Mr. Pitt and his successors.

If you lose this opportunity, it will never return. So large a creation never again at the same moment will be sanctioned both by the King and the people ; a collision between the two Houses will ensue ; the dangers and the fatal effects of such collision it will be found impossible to avert, if you reject the only means which the Prerogative possesses for this very purpose.

On the next day, Lord Althorp, by this time a zealous convert to Graham's view, wrote to Lord Grey, bluntly putting the question : ' Would you create Peers for the purpose of carrying the Bill rather than that I should resign ? '

If the Bill be lost without a creation of Peers [he wrote], every one of us in whom the country at present places confidence will be utterly ruined in character. I feel that my resigning on this ground would be most injurious to you. . . . Nothing would induce me to do it but being convinced that you were going to place yourself in a situation in which, though I might be ruined with you, I could not do you any service.

Lord Grey's reply, at great length, may be read in his *Correspondence*. His chief points were—1. A majority on the second reading appeared to be nearly certain. 2. In Committee it might prove unnecessary to create Peers. 3. Such a measure would itself be exposed to the greatest danger of failing. On these grounds he answered frankly :

As at present advised, I do not think anything would induce me to be a consenting party to a large creation of Peers. The consequence then of your resignation would be the immediate breaking up of the Government ; for, if I at first refused to come in, I should now find it more impossible to go on, without you.

The same day the Whig Cabinet, after much debate, rejecting the advice of Graham and of Althorp, resolved not to propose to the King to create Peers before the second reading. At that stage Wellington and Peel<sup>1</sup> used every effort to induce the Lords again to reject the Bill ; but in this they failed, beaten by a majority of only nine.

After Easter the Bill went into Committee, and Graham much feared that by a policy of bit-by-bit amendment its enemies might succeed in mutilating the measure so seriously as to damp the popular zeal for it ; or—failing that—might plausibly accuse the Government of unreasonably showing no deference to large majorities of the Upper House.

From these risks, however, they were saved by what Brougham regarded as a blunder in tactics on the part of Lyndhurst, who began by boldly moving to postpone the most popular of all the clauses, with its Schedule A, disfranchising the smallest boroughs. This he carried

<sup>1</sup> Peel's advice on this occasion to Lord Harrowby was regarded by Lord Cardwell as 'one of the ablest of his many able letters, though coming to a wrong conclusion.' See *Peel Papers*, ii. 199.

by a majority of 151 to 116. Lord Ellenborough then laid before the House a plan of Reform, 'evidently concocted by Lords Harrowby and Wharnccliffe with Lords Lyndhurst and Ellenborough,' proposing to add to the great towns and counties 113 members, to be provided by a disfranchisement nearly equal to Schedule A.

As a counter-move, the Cabinet at last (the Duke of Richmond now alone dissenting) came round in May to Graham's policy urged in November, and sent in their names to the King jointly advising him to create as many Peers 'as might ensure the success of the Bill in all its essential principles.' As the only alternative they offered to resign.

In reply, His Majesty, having the courage of his opinion, that he ought on no account to use his prerogative thus to overrule the resistance of one of the two Houses, 'came to the painful resolution' of accepting the resignations.

Having thus dismissed Lord Grey's Cabinet, the King's next step, as set forth by Brougham,<sup>1</sup> was to urge Brougham to form a Government, assuring him that he would have the support of Richmond and others of his late colleagues, and might bring in Lord Ellenborough's Bill. Sir Herbert Taylor begged Brougham to confer on this with his colleagues, and represented that Lord Grey, though himself bound to the larger measure, would certainly support Brougham in carrying a lesser one. But Brougham considered himself also pledged to Lord Grey's Bill.

The King was obliged, therefore, to turn to the Tories. This he did through Lyndhurst, who endeavoured to form for him a Government willing to bring in what he called a 'moderate'—but what the King, to save

<sup>1</sup> *Memoirs*, iii. 194.

his personal honour, insisted must be an 'extensive'—Reform Bill. He appealed to his former Ministers for 'help to save the Sovereign from the indignity of having forced upon him so gross a violation of the Constitution' as was now at last recommended by Lord Grey's Government. Wellington, as always, was ready to support the King; and if Peel could have been persuaded to join him, it was thought by Brougham, and by the Duke himself, that they would have had a fair chance of success. But Peel flatly refused.

Meanwhile on Sunday night at Brooks's the Whigs were in wild excitement at the prospect of a Reform Bill to be passed by their political rivals. Ebrington and others urged strongly the rejection of any such Bill; Stanley, leaping on a table, surpassed himself in fiery denunciation of the Tories, but finished by supporting the advice of Althorp to accept a Tory Reform Bill, and if necessary carry it further. On this Palmerston writes :

*May 14.*—I am delighted with the decision of last night. It is infinitely wise, because it is perfectly honest, and will place our conduct and motives in a most honourable contrast with those of our opponents. The idea of standing over the new Ministry with the rod of adjournment in one hand and the physic-boat full of Reform in the other, and compelling them to swallow the dose properly is excellent. The decision shows that whenever leaders of a party take the high-minded line, and stick to it, their followers are sure to keep with them.

Owing to Peel's firm refusal, the project of a Tory Government to carry an extensive Reform Bill became impossible. The King was forced to recall Lord Grey, and on May 17 gave written leave to him and the Lord Chancellor 'to create such a number of Peers as will be sufficient to ensure the passing of the Reform Bill.'



This was exactly what Sir James Graham for six months had urged as necessary and sufficient; and, perilous as the expedient had seemed, it worked smoothly in the end.

On the same day, by the King's commands, Sir Herbert Taylor wrote to some of the most active opponents of the Bill that all difficulties would be removed by a declaration from a sufficient number of Peers that they would drop their opposition, so that the Bill might become law as nearly as possible in its present form.

With much reluctance this assurance was given, and on June 4 the Bill was passed by the Lords, 106 Peers voting for it; against it only twenty-two.

So ended a grave constitutional crisis. Reviewing it a generation later, Brougham wrote :

I have often asked myself whether, if no secession had taken place, and the Peers had persisted in opposing the Bill, we should have had recourse to the perilous creation. . . . *I cannot answer the question in the affirmative.* So greatly did I feel the dreadful consequences of the act that I am persuaded I should, when it came to the point, have preferred running the risk of the confusion which would have attended the loss of the Bill. . . . And Lord Grey distinctly told me that, when the time came, he would never have consented to take the step.<sup>1</sup>

Graham, on the contrary, so far as his papers show, would not have flinched from acting on the consent obtained from the King, to use 'the only means which the Prerogative possesses for averting a fatal collision between the two Houses of Parliament.'

Rather than see the Reform Bill a second time re-

<sup>1</sup> On the publication of this avowal Wellington remarked to Brougham, 'Then you confess you were playing a game of brag with me.'—Brougham's *Memoirs*, iii. 207.

jected, I would run the risk of even a large creation of Peers.

But Graham hoped that this might not be required.

I think the known possession of the power the surest means of averting the necessity of using it.<sup>1</sup>

And that is what happened.

Without any authority from the King, or any communication with Ministers, Sir Herbert Taylor took it upon himself to let some of the Peers, the most active adversaries of the Bill, know that the King's authority had been given, and was in hands which he was certain would use it.<sup>2</sup>

The disclosure had the effect anticipated by Graham, and Lord Grey writes to him :

In this Taylor has done excellent service. It is most fortunate that such a man is in the confidence of the King.

<sup>1</sup> See p. 132.

<sup>2</sup> *Brougham's Memoirs*, iii. 201-2.

## CHAPTER VII

1830-34

Retrenchment—Wellington's 'Harvest' of Economies—Grey's 'Gleanings'—Naval Estimates reduced—Naval Efficiency increased—Holland and Belgium—Portugal—West Indies—Ireland—China—Naval Administration—New Board of Admiralty—Financial Reform—Naval Patronage.

TOGETHER with Reform the Whigs had promised Retrenchment. In the Cabinet of Lord Grey no Minister was more deeply pledged to this than Graham; none did more to enforce it where he had the power.

What was achieved in the first two years stands recorded in *Reform Ministry and Reform Parliament*, a pamphlet much read in 1833. It was edited by Mr. (afterwards Sir Denis) Le Marchant, but 'the real merit of the book,' he declares frankly, 'was in the contributions of Lord Althorp, Lord Stanley, Lord Palmerston, and Sir James Graham, with respect to the proceedings of their respective Departments.'

Already the Duke of Wellington, during three years of office, under pressure, had effected great economies. 'We,' said a member of his Government, 'have reaped the harvest of reduction, we have left to our successors only the gleanings.'

The gleanings, however, proved more ample than the harvest. The figures stand as follows.

In 1827, the year before Wellington's Government,

the votes for Army, Navy, Ordnance, and Miscellaneous Service were £18,745,360. In 1830, his last year, they had been reduced to £16,648,762. In Grey's first year they stood at £17,782,487. In 1833 his Government had lowered them to £14,622,219.

This shows a saving of more than three millions, and that not on the total estimates of fifty millions, including fixed charges, such as interest on debt, civil list, half-pay, and superannuations, but on the charges capable of reduction, amounting to only fifteen millions. The three millions saved were one-fifth of the whole.

On the hustings, and in Parliament, Sir James Graham had been wont with popular applause to advocate reduction especially of the higher salaries. In these alone the Whig economies approached £200,000.

The Navy Estimates Sir James cut down from £5,842,835 to £4,658,000. In the Civil Establishment of the Navy he saved £74,000 a year, of which £16,800 was in respect of salaries above £800. He dispensed with twelve Commissioners, sixty-one superior and thirty-seven inferior officers of dockyards, and more than a hundred clerks.

Even *The Black Book of the Aristocracy*—a Radical publication, well known in those days, and founded largely on the returns which Sir James Graham had obtained of official salaries—expressed satisfaction with these reforms:

The energy with which Sir James Graham has proceeded to new-model the Department over which he presides will leave, we apprehend, little to desire in that branch of the public service.

Sir James, by improvements in the civil administration of the Navy, and reductions in the estimates nearly to the amount of a million, has almost silenced Mr. Hume, and set a splendid example to the heads of Departments.

That the Baronet possesses abilities of the first order was evident, from his forcible and eloquent exposition of the emoluments of privy councillors, the salaries of the public officers, and the costs of foreign missions, which greatly contributed to fix public attention on a lavish public expenditure.

The sentiments of the First Lord are liberal and enlightened, as is apparent from the following extract from a pamphlet published by him some years ago :

'The paramount duty of every Government is attention to the interests of the community, of which the labourers must form the great majority. The right of property itself is instituted not for the good of the few who possess wealth and honour, but of the many who have them not. If the majority be deeply injured, the public peace is in danger ; if the majority want food, private property becomes a nuisance.'<sup>1</sup>

Graham's economies at the Admiralty were coupled with increased efficiency. New ships were built, stores were liberally provided. With peace estimates—but with Palmerston Foreign Secretary—the Navy was almost as active as in war.

The ports of Holland were blockaded during a northern winter ; her whole Indian trade was arrested. In the Tagus and in the Douro a large naval force was required for the protection of British subjects, and to secure the reluctant neutrality of Spain. A large squadron was sent to the Dardanelles, and the agitated state of the Slave Colonies made an increased naval force necessary in the West Indies and in the Mauritius.

In Ireland, also, Graham made an ample display of force (see p. 172), not mentioned in the pamphlet.

The account there given of the contest between Belgium and Holland, which was held in check by the British Fleet, was furnished probably by Palmerston, who was in close touch with Graham.

<sup>1</sup> *Corn and Currency*, p. 75.

A Conference of the Powers in London in November, 1830, had given European sanction to the separation, by a popular rising, of Belgium from Holland, reversing the policy of Pitt, who favoured their union. The King of the Netherlands was now called on to evacuate the citadel of Antwerp, but refused to do so. Upon this, Great Britain and France, without the other three Powers, decided to use force, besieged Antwerp, and laid an embargo on Dutch vessels. Such strong measures brought about in May, 1833, a further Convention, by which Europe was finally secured against this conflict ending in a general war.

In Portugal, as between two rival claimants to the throne, the brothers Don Miguel and Don Pedro, Great Britain stood neutral. But—

a powerful squadron was sent under Admiral Parker to the Tagus, with orders to take active part for Don Pedro against Don Miguel the moment that a Spanish force should enter Portugal. The part which England took in the struggle [writes Palmerston ?] was to keep the ring, and see fair play.

Admiral Napier, however, was allowed, taking mercenary service, to capture Miguel's fleet, and raise the siege of Oporto, with the result that Pedro's daughter was proclaimed the rightful sovereign.

To his old chief, Lord William Bentinck, now Governor-General of India, Graham gave instructions as to threatened war with China, which show how unchanged from first to last was his well-defined conception of the right and peaceful policy to be pursued in dealing with Chinese authorities and the Chinese nation. Writing authoritatively in the name of Lord Grey's Government, he says :

Considering the present state of affairs in the East, I thought it better to send you a Vice-Admiral in a line-of-battle ship ; so that the full impression might be produced, both as regards the importance which we attach to our relations with China, and our fixed determination to uphold the predominance of our power, which is so much founded on opinion in your Eastern regions.

By despatches . . . you will perceive that we are somewhat astonished here by the bold and decisive tone which you have thought it necessary to adopt, especially since we doubt whether the Supercargoes are free from blame.

Your minute of the third of April, 1830, contains the soundest views of the policy of this country with respect to China, and is adopted in the fullest extent by all the Ministers here. The reasons urged in that paper against hostile measures appear conclusive, and are applicable, as far as we are informed, to the state of affairs under which on this last occasion you were again called on to interfere. We know, however, that you would not lightly change your decision, and we infer therefore that some circumstance unknown to us has intervened.

Trade with China is our only object ; conquest there would be as dangerous as defeat, and commerce never prospers where force is used to sustain it. No glory is to be gained in a victory over the Chinese. Our Factory there can only thrive by a ready compliance with the laws, the prejudices, and even the caprices, of a nation which we seek to propitiate ; and the Supercargoes must not imagine that great national interests are to be sacrificed to their notions of self-importance, and to a spirit of haughty defiance, mixed with contempt for the laws and customs of an independent people.

Our grand object is to keep peace, and by the mildest means, by a plastic adaptation of our manners to theirs, to extend our influence in China with the view of extending our commercial relations. It is not a demonstration of our force that is required, but proofs of the advantage which China reaps from her peaceful intercourse with our nation.

We are therefore most unwilling to send our ships of war to Canton, and Sir John Gore is forbidden to do

so except on a requisition from the Governor-General, or from the Supercargoes. To prevent the possibility of misunderstanding, we have ordered him to proceed direct to Calcutta for the purpose of conferring with you.

I am quite sure you will agree in the adoption of a conciliatory and pacific course, and will be enabled to restore peace, if unhappily it has been broken, or to maintain it, which is the first wish of our Government.

I have written with all the freedom which you allowed me to use in other days. I need not add that I still feel all the warmth of my early friendship with you.

Exactly similar will be found Sir James Graham's tone and public conduct at a later date, when Lord Palmerston backed Sir John Bowring in getting up the war with China in 1856.

To the efficiency of Sir James Graham in his own department the most ample and convincing testimony is that recorded by the late Sir John Briggs in his valuable and lively record of Naval Administrations, from which Lady Briggs has kindly given leave to make the following extracts :

During my long tenure of office [forty-four years] at the Admiralty, Sir James Graham was the only First Lord who had any support in the Cabinet. In his first administration he was supported by Lord Palmerston, Lord Stanley, and Lord John Russell ; in his second administration during the Crimean war he had a *carte blanche* from the Earl of Aberdeen.

Sir James Graham was most happy in his selection of Sir Thomas Hardy as the First Sea Lord. He took a large and comprehensive view of all subjects. . . His predecessor, Sir George Cockburn, was greatly opposed to steam, and on one occasion went so far as to declare that 'since the introduction of steam-vessels he had never seen a clean deck, or a captain who, when he waited upon him, did not look like a sweep.' Sir Thomas Hardy



lived for the future. He seemed to behold in prophetic vision the mighty changes which science and steam are now effecting in the naval service.

Such was the officer selected by Sir James Graham as his chief professional colleague. Of himself Sir John Briggs writes :

The two naval administrations of Sir James Graham will long be remembered—the first as the one which reorganised the Navy, and effected all the important changes so much needed in the civil departments, such as the abolition of the Navy Board, Victualling Board, etc. ; and the second for the zeal and ability displayed in the preparation of the fleets upon the outbreak of the Crimean war, and the brilliant success which characterised the management of the transport service, in the conveyance of troops and stores.

One of the first measures adopted by the new Board was to reverse at once the naval policy of their predecessors, who had persisted for years in spending hundreds of thousands annually upon vessels inadequate in size and deficient in armament to compete successfully with the new classes of vessels in course of construction in the dockyards of France and of the United States. . . .

So fully impressed was Sir James Graham with the urgent necessity of establishing a permanent school for the scientific and practical teaching of gunnery to the naval officers and seamen of the fleet, that he decided to commission at once a ship for that purpose.

To him and his Board is due the credit of taking the initiative in reducing the number of officers upon the active list, and adopting many salutary measures calculated to ensure the employment of deserving officers.

But the reform to which perhaps the country will attach the greatest importance was the abolition of the Navy Office and Victualling Board, and the placing of the civil departments of the Navy under the individual responsibility of five principal officers, each to be superintended by a member of the Board of Admiralty. This division of duty was established on so sound a basis that

after sixty years it still remains in full force. The system has proved not only to be sound in theory, but to have worked successfully when put to the test of practical experience.

It may be added that, since Sir John Briggs wrote, it has been much commended as a model for improved Army administration.

By this arrangement the whole business of the Admiralty was brought under the eye of the First Lord, as well as the cognisance of every member of the Board, each individual being thus afforded an opportunity of giving expression to his opinions.

So convinced was Sir James Graham of the great advantages of inter-communication between the principal Officers of State, that he habitually discussed the nature of the communications he proposed to write with the Minister of the Department before making the written communication, and thereby much needless correspondence and misunderstanding was judiciously avoided.

Of his skill in presiding Sir John says :

Sir James Graham was never seen to greater advantage than at the head of the Board-room table. He was peculiarly happy in extracting from the several members of the Board the particular information he was desirous of eliciting, and then placing all the facts before them in so plain, clear, and simple a manner as to carry their opinions with him.

It is no easy matter for a First Lord to keep the attention of the various members directed to the particular subject under discussion. This can only be accomplished by occasionally putting questions to them, which if they were not paying due attention it would be impossible for them to answer. Sir James did this with such adroitness as to excite the admiration of those who were silent listeners, and could plainly perceive the force and spirit of the interrogations, when attention and

interest were beginning to wane. He instantly put a stop to all irrelevant discussions.

After giving several racy examples, much to the point, of the old habits of inattention and irrelevant gossip, Sir John Briggs proceeds :

Sir James detailed to the Secretary the wording of every minute, and in most important cases himself drew up the answer. This he did with rapidity and clearness of expression, upon a sheet of notepaper, which would cover, when copied, several pages of foolscap. The amount of work he would transact in the course of a morning was perfectly wonderful !

Sir James Graham possessed such personal influence in the Cabinet of Earl Grey, and generally laid his case before the Ministry with such power and cogency of argument, that he rarely failed in bringing conviction to their minds, and carrying his point to a successful issue.

Of the enduring value of Sir James Graham's great financial reforms at the Admiralty a still more recent and important recognition may be found in a Report from the Select Committee on National Expenditure, December, 1902.

Lord Welby—for thirty-eight years a most efficient officer, and for nine years Permanent Secretary, of the Treasury—laid before the Committee an interesting Memorandum on the history of the present system of parliamentary control over expenditure. This began with the Revolution of 1688 ; but until 1866 (the date of the Exchequer and Audit Act), while the House of Commons knew what sums had been issued from the Exchequer, it did not know how these sums had been expended by the Departments. The Appropriation Act secured the sums being issued, but not their being actually expended, as Parliament approved. To this

there was one notable exception, to which Lord Welby invites special attention.

This great defect in Parliamentary control remained unremedied until 1866. But some time earlier an important but isolated measure adopted in one department of the State laid a foundation for the reform of 1866.

In 1831 that most able administrator, Sir James Graham, became First Lord of the Admiralty. He found the civil branches of that department organised as they had been organised in the time of Elizabeth. He left them organised on the principle that has worked, and worked well, to the present day.

Sir James Graham's speech in moving the Navy Estimates of 1831 is of historical interest. In the course of it he said that he and Mr. Hume, in 1829 and 1830, when calling attention to the Naval Estimates, 'had too much neglected the details, in their anxiety to effect a tangible reduction of the general sums, of the votes. They would have effected much benefit in investigating how far the actual expenditure under each head squared with each estimate. The only remedy which he saw was to lay before the House annually a balance sheet, in which would be specifically placed under each head the actual expenditure of the Navy and Victualling Boards.'

Parliament, in consequence, and at his instance, passed an Act requiring the Admiralty annually to present such an account to the House of Commons. This account, called the Navy Appropriation Account, has been annually presented up to the present time. It is based on the *audited* account of naval expenditure, and it shows the actual expenditure, as ascertained by the auditor under each head of service.

The precedent thus created was applied in later years to other great divisions of the public expenditure, and has formed the model on which the Appropriation Accounts of public expenditure are now rendered.<sup>1</sup>

<sup>1</sup> For a further appreciation of such reforms, see in Appendix (pp. 165-8) a letter from Lord Welby, with a Memorandum from Sir William Anderson.

Correspondence on naval affairs with the Prime Minister and others bears further abundant testimony to Graham's activity combined with leanings to retrenchment and to peace.

*To Earl Grey*

*January 24, 1831.*

We must fix the number of men to be voted, on which the framing of the Estimates depends. The vote last year was only for 20,000 seamen and 9,000 marines. I am rather disposed to ask for 22,000 seamen and 10,000 marines, stating the fact that the number voted has hitherto always fallen short of the number employed, whereas the number I now ask shall not be exceeded without the consent of Parliament; or, in case of an emergency, without a frank statement of the excess and of the cause of it, so soon as Parliament shall reassemble.

*From Earl Grey*

*July, 1832.*

The Duke of Wellington has given notice of his intention to observe on the state of the finances. To be prepared for anything he may say, can you send me a short statement of the savings in the Navy, the manner in which they have been effected, how far they can be considered as permanent, what further reductions are to be looked to in future, and what in point of economy is the effect of the new arrangement?

*To Earl Grey*

*September 20, 1832.*

I have implored Palmerston not to take up transports, or to move troops, which we cannot spare either from Ireland or from England.

A naval demonstration is harmless, and produces no European convulsion. The presence of our troops at Ostend would be a signal for war, and a general movement of armies would be the consequence. Leopold must, in the first instance, measure his own strength with the Dutch. France is at hand, too ready to rush to his assistance; and if we occupy Ostend she will not delay

to occupy the whole line of fortresses, and to cover Belgium with her troops.

*From Earl Grey*

*September 21.*—If we could but get rid of this Belgian business, our prospects would be very good. I am as averse as you are to war. But we cannot recede from the position we have taken, and the question is now placed on grounds on which the public opinion, when the case comes to be stated, must, I think, be with us.

I do not imagine it was in Palmerston's contemplation either to take up transports or to occupy Ostend, except in the case of actual hostilities, and in concurrence with the other Powers, as a sort of balance to the advance of the French into Belgium, which in the event of war is inevitable. In any other case, I should have thought it, as you do, highly objectionable.

*September 22.*—Everything is now on a right footing for the present, and I sincerely hope these Dutchmen—I might add, and these Belgians, for they are little less unreasonable—will not force us into any measure that may lead to war, which, I agree with you, must, if possible, be averted.

*To Earl Grey*

ADMIRALTY, *September 26, 1832.*

I begin to wish very anxiously you were here. Affairs are critical, and the Cabinet must soon reassemble.

*September 27.* The state of affairs is most critical, and the responsibility very heavy; the French Government tottering, and seeking by war to avert its fall; the good faith of Russia very doubtful; the inclination of Prussia and Austria in favour of Holland decided; our obligations by treaty to enforce the execution of the twenty-four articles unquestionable. The contest in Portugal, the succession to the throne of Spain disputed in the event of the King's death, and his life despaired of—these, added to Ireland and all our domestic difficulties, render an early meeting of the Cabinet a paramount duty; and a manly, united effort to overcome them is the first call on our honour.

*From Earl Grey*

*September 28.*—Every other interest is absorbed in that which arises from the cannonade heard in the direction of Antwerp. I cannot flatter myself that something serious has not happened there. The concurrence of all accounts seems to establish the fact of heavy and continued firing, and what could it be but a collision, somewhere or other, between the Belgians and the Dutch?

*September 30.*—I am in a state of feverish anxiety, which would be intolerable if I did not feel all the confidence which he so justly deserves in Palmerston. Forbearance to the utmost, but determination and vigour when the season for action arrives, must mark our proceedings.

*October 4.*—I received your letter and box, full of excellent news, this morning. The question seems to me to be decided in Portugal, and I congratulate you upon it. Upon the whole, I now feel very sanguine in the hope that we shall be able to avoid all direct interference, and I have no hesitation in saying that I think you have done quite right in determining to send an immediate reinforcement to Malcolm. The whole arrangement which you have made for this purpose meets my entire approbation.

*From Lord Palmerston*

*November 4.*—Nothing can be better than your instructions. They are clear, precise, and comprehensive.

*To Hon. E. G. Stanley*

*November 5, 1832.*

ADMIRALTY, *Monday evening, 7 o'clock.*

The answer from the Hague has arrived; civil but firm, and a positive refusal to evacuate Antwerp before the signature of a definitive treaty.

My captain returned from Cronstadt this morning, and, thank God! the Russian fleet of twenty-one sail may be considered safe and in ordinary for the winter. The Russians are furious, throw off the mask, and abuse us openly; their only consolation is that the Dutch War will drive us from office. France intends to send

sixty thousand men into Belgium on the 15th. Our order for the embargo will pass the Council to-morrow.

*To Earl Grey*

*Lord Essex's, at dinner,*

*8 o'clock, November 15, 1832.*

We send you a copy of a letter just received from Jerningham at the Hague. It is warlike, and almost destroys my hope of a surrender without a shot.

I have informed Malcolm of the intention of the Dutch to send armed steamers and cruisers to sea, and have ordered him to execute our instructions, and not to allow them to leave port.

I have recommended Palmerston to inform the Dutch Government of this order, since it is the only step which we have taken beyond the *ordinary* limits of embargo. It is within the strict rule, yet it is novel, and may, it seems, lead to a collision.

Richmond is copying while I am writing.

*To Hon. E. G. Stanley*

*November 18.*—The Ministers of the Northern Powers at our Court are all acting with the worst faith towards us, and in the most hostile spirit. In the meantime we have taken under the embargo Dutch property to the amount of near a million, and this will be found a real pledge of peace. Our frigate sent yesterday into Portsmouth two Dutch Indiamen from Batavia, one of seven hundred tons.

*To Earl Grey*

*December 23, 1832.*

I have now 3,000 seamen more than were voted by Parliament in the estimates of last year. The expense begins to be serious, and the consequent embarrassment will even become formidable. I should like to pay off two or three frigates, but I am unwilling to take this step before the fall of the citadel of Antwerp, and before we have clearly ascertained the real intentions of the Northern Powers.

I begin to be uneasy under this excess of men and of expenditure, but I will take no measure to reduce it



until I see you ; only I wish to press the subject on your attention.

*From Lord Palmerston*

*January 18, 1833.*

A little more constancy of endurance for a while, a firm tone towards Foreign Powers, the letting them understand that we see through their plans and are not their dupes, and a continued display of just force enough to show that we could do more if requisite, will, I am perfectly convinced, bring us through all our difficulties.

*To Earl Grey*

*August 2, 1833.*

I hasten to send you the enclosed most gratifying intelligence. The declaration of Lisbon in favour of Donna Maria by a spontaneous act in the absence of an armed force enhances greatly the value of this important event ; and the question arises, has not the moment arrived when we should be justified in recognising her ? I have the *Caledonia* and *Revenge* ready for sea, and Parker has a magnificent squadron now under his command. Moreover, I have received the enclosed from Palmerston, which points to the necessity of reinforcing Malcolm ; and, having settled Belgium, we shall, I hope, arrange Portugal, and then we shall be in a position to talk boldly to Russia.

*October 18, Cowes.*—I have visited and carefully inspected every dockyard, and I can assure you with confidence that, come what may, we shall not be found unprepared.

But I hope you will stand firm on the subject of Impressment, about which I have had a letter from the Chancellor [Brougham] rather indicative of a disposition to compromise, which I fear would end in a surrender fatal, as I think, to our naval power.

*From Earl Grey*

*Howick, October 21, 1833.*

I entirely agree with you that we cannot assent to any proposition for taking away the power of pressing for the Navy.

*To Earl Grey*

ADMIRALTY, June 5, 1834

The enclosed private letters and despatches arrived from Portugal in the course of the night. Admiral Parker, with his never-failing judgment, has taken every step for the personal safety of the vanquished Princes [Don Miguel and Don Carlos]; and at the moment when the cause has triumphed which you favoured he has proved the sincerity of your moderate counsels.

I congratulate you sincerely on this happy termination of a struggle which has so long endangered the peace of Europe.

In dispensing naval patronage Sir James Graham showed much purity of motive.

One of the first appointments he had to make in 1831 was to the Mediterranean command. This had been held by Sir Edward Codrington, who was responsible for the destruction of the Turkish fleet at Navarino. For that the present King, then Lord High Admiral, had obtained for him the Grand Cross of the Bath. Yet the Tory Ministry, in the King's Speech, described the victory as 'an untoward event.' Against this the Whigs protested, and the general opinion of the nation was with them. But shortly afterwards, Wellington's Government superseded Codrington, for having failed to prevent the Turks from carrying off thousands of Greeks from Navarino to Alexandria, where they were sold as slaves. The command was now again vacant, and Lord Althorp expressed the feeling of Whigs, if not also of the general public, by writing to Graham :

In my opinion Codrington ought to have the command. He was shamefully used by the last Administration. He is a man who would conduct the Mediterranean

command in the best possible mannner, as he did indeed, notwithstanding the then Admiralty put no confidence in him whatever.

It is a terrible blow upon the Navy that the only Admiral who has had an opportunity of distinguishing himself by a brilliant action for twenty-four years should be laid upon the shelf, and that not from any fault of his own, but from the most disgraceful timidity of the Administration who employed him; and I think it would be a most proper and popular measure in the Navy to replace him where he was.

On this view Sir James acted so promptly that Lord Grey had to admonish him for having omitted first to take the pleasure of the King.

On one occasion when an officer thought himself aggrieved, the First Lord received a warlike letter, but did not think himself called on to reply.

*From Earl Grey*

I am satisfied that you not only acted with propriety in not noticing Captain A.'s letter, but that you would have sacrificed your public duty had you done so. Indeed I practise what I preach, for I declined giving a post-office agent who challenged me the opportunity to shoot me.

Sir James had to resist pressure from Dockyard Members to use his patronage for rewarding their supporters and punishing their opponents.

*To —, M.P.*

ADMIRALTY, September 24, 1832.

If, when the Board of Admiralty, composed of naval officers, in the execution of a high trust, selected Captain Napier as best entitled to the out-pension of Greenwich, from a long list of candidates, on account of his wounds

and distinguished services, I had opposed an objection on the ground of political inexpediency, and of an election quarrel, in my own opinion I should have betrayed my duty, and been false to those liberal principles which we profess.

I care not what people may say, so long as my conscience tells me I have acted justly ; and if I am swayed by other motives, in the difficult and odious task of distributing patronage, I should be altogether unworthy of the office which I hold.

Every support which I can give to you shall be given, consistently with the freedom of election and with the fair consideration of professional claims ; but I cannot refuse rewards which past services render due to officers who may oppose you ; nor can I give promotion solely on the score of relationship to an editor of a newspaper who supports you. I am disposed to consider favourably Commander H.'s *professional* claims, and I shall be happy, if I am so fortunate as at the same time to do what is just to the officer and what is agreeable to you.

*To —, M.P.*

ADMIRALTY, *September 25, 1832.*

You cannot doubt my sincere and anxious wish to do everything fairly within my power to uphold your interest, and to give you efficient assistance and support. But I am not at liberty to set aside professional claims on account of political differences. In my opinion the Government is best served, and its real interests best supported, by perfect fairness and strict impartiality in the distribution of professional rewards.

All promotion in the Dockyard will henceforth be given as the reward of merit, on the recommendation of the Admiral Superintendent. As patronage I cease to exercise it, and I have made it over to the Board, with the intention of carefully watching its distribution.

In this view Graham had the support of Althorp, who, when Sir George Cockburn, 'an unyielding Tory of the old school,' was appointed, wrote :

I think the appointment of Cockburn will be creditable to you, and advantageous to the service. It would be dishonest to allow politics to interfere with the naval service of the country, unless in the case of any deserving man whose politics had hitherto kept him in the background ; and then it is only justice to give such a man, if there be such, the first turn.

This impartiality, as between Whig and Tory, in the distribution of professional patronage led at last to a correspondence on the subject between Graham and 'the Patronage Secretary,' who wrote :

*January 5, 1833.*

When I assure you that I have undoubted authority that the Tories are at a loss to divine any other motive for your recent dispensation of the patronage at the Admiralty than a desire to conciliate and cultivate the Conservative party, it is quite time you should be made acquainted with the murmurs of your friends, and the jeers of the enemy. I will give you my authority when we meet ; only pray in the meantime, if fresh vacancies occur, endeavour to discover meritorious individuals of our own caste to fill them.

P.S.—As we shall not meet soon, I may tell you that my observations on the disposal of your patronage are occasioned by a conversation my informant held with Peel, or at Peel's table in the country. Now, for God's sake, don't commit me.

Graham replied :

*January 9, 1833.*

I have endeavoured to serve the public faithfully, and I have never prostituted the patronage of my office to any base purpose. The officers have generally been selected by me for their efficiency, and not for their politics ; and if professional merits be regarded by my successor he will have no reason to complain of my appointments.

## APPENDIX TO CHAPTER VII

*From Lord Welby*

YACHT 'CHRISTINE,' FORT WILLIAM, *Sept.* 27, 1905.

I have always been struck by the evidence which came across me of the great work which Sir James Graham did at the Admiralty in the Grey Ministry of 1830.

From a financial point of view, he was the first statesman who grasped the method in which alone the financial control over the expenditure can be secured.

Up to his time the House of Commons had no control whatever. They voted estimates, but they had no information as to how the money they granted was actually spent, except an *ipse dixit* of the spending Department. The financial authorities of the House, in and out of office, bewildered themselves in attempts to control expenditure before it actually took place. Sir James Graham saw, and *saw first*, that the only real check on expenditure is to be found in a Report to the House of Commons on that expenditure, when it has taken place, by an independent auditor ; and he passed an Act requiring such an account of Naval expenditure to be prepared *for the House of Commons* by the Commissioners of Audit, and presented yearly.

That Report has been presented yearly since 1832, and it has been the precedent extended gradually to the whole of the public expenditure. He did not see that his check would not be really effected unless provision was also made for the House of Commons examining that account. This defect was remedied by Mr. Gladstone much later, in 1860, when he established the Standing Committee of the House of Commons on Public Accounts. That Committee examines the Auditor's Report on the Naval expenditure item by item, and reports to the House its conclusions.

Sir James Graham, however, may lay claim to being the first statesman to understand and enforce the only real check on public expenditure ; and that achievement

establishes him with financial students as a great financial authority, and a great administrator.

It would take too long to enter upon other points of his Admiralty reforms. I have always said that he found the Admiralty organised on regulations laid down by Elizabeth, and he reformed its administration to meet the requirements of the reign of Victoria. And more, his scheme has been in operation now three-quarters of a century, and has proved efficient, and sufficient.

This is to a great extent the result of my own observations. But I heard something of Sir James from a man who was at the head of the finance department of the Treasury when I became a clerk there (1856), and under whom I served.

Sir William Anderson, when quite a young man outside the service, had been picked up by Graham to aid him in devising the new scheme of accounts in the Admiralty. How Sir James came across him I do not know, but it was a singularly happy choice ; and Anderson was transferred afterwards to institute accounts and reform financial procedure in other Departments. In fact, he is the author of our present system of account throughout the service.

One of the first acts of Mr. Gladstone, on becoming Chancellor (December, 1852), was to bring him to the Treasury, and make him head of the Finance Department. Mr. Gladstone had the greatest confidence in him and admiration of him, and his merits were a constant topic between Mr. Gladstone and me.

I speak of him at length on account of the paper which I enclose, and which I think will interest you. Sir William died at a very advanced age some years ago. His son-in-law, Sir R. Mills, knew the high opinion I had always formed of Sir James, and finding among Anderson's papers an incomplete memorandum, written in the early sixties, he sent it to me. It gives an estimate of Sir James as an administrator, which is interesting, as coming from a thoroughly competent observer.

I often had opportunities of talking with Mr. Gladstone of Sir James, and I am sure I report him correctly when I say he placed him among the very first of our administrative statesmen.

*Memorandum by Sir William Anderson*

Sir James Graham's great talent for dealing with the most complicated details of business was remarkably displayed in the complete reform of the whole system of Naval accounts which he carried out immediately after his accession to office in 1830.

The great extension of the Naval Service during the protracted hostilities which terminated in 1815, and the complications which arose from the peculiar mode of meeting the demands of the naval charges during years of great financial pressure, had brought the accounts of the Naval Departments into a state of great confusion.

The fifteen years of peace which had succeeded had done little to place them on a systematic footing. There was little disposition on the part of Governments to give the country more information respecting their financial proceedings than they were obliged to furnish, and there was no earnest determination in Parliament to require it. It is due to Sir James Graham to state that he stimulated public opinion on this question, and initiated a reform of the National Accounts which is still in progress.

Sir James Graham felt that all his efforts to establish greater conformity between the actual expenditure and the votes of Parliament would be unavailing, unless he succeeded in restoring the proper constitutional control of the Legislature in this great branch of public expenditure, by establishing a system of account capable of reducing to order the vast and complicated details of Naval expenditure.

His first step was to present the estimates of the annual naval expenditure in a simple form, intelligible to the House of Commons and the country ; he next ordered that the accounts should be kept upon the same system as those of the commercial world, being convinced that accounts which concerned all should be intelligible to all ; and in order to secure the truth of these accounts, and to prevent the possibility of a relapse into the state of confusion from which he had succeeded in extricating them, he introduced a Bill into Parliament by which the Government became bound to present an annual account of the Naval Expenditure to the House of Commons, audited



by an independent Board of Commissioners, the Audit Board.

These regulations have now been thirty years in operation ; the improvements of which he laid the solid foundation have stood the test of war ; and although the Service has more than doubled, the system has continued to work admirably, and few Departments of the State can account with equal clearness and accuracy for the expenditure of the public money entrusted to their charge. When the complicated details of the Naval Expenditure, conducted in every part of the globe, in every description of currency, and through a multitude of subordinate agents, are considered, too much praise can scarcely be given to Sir James for the energy with which he pursued his task, and the early period at which he brought it to a successful issue.

But the benefit of his measures was not limited to the Department in which he introduced them ; they have been extended to other Departments of the State with equally beneficial results.

Nor must we omit to enumerate among the important practical reforms in the Naval Department, of which either the conception or the execution may be considered due to him . . .

The rest of this paper unfortunately has not been found. But for mention of Sir James's other important practical reforms at the Admiralty, see p. 152.

## CHAPTER VIII

1831-34

Forces tending to Disruption—Anglesey and Stanley—Divergence on Irish Church—Stanley anxious to leave Ireland—Graham urges him to remain—Durham opposes Stanley's Tithe Bill—Resigns—Stanley Colonial Secretary—John Russell upsets the Coach—Four Ministers resign.

**E**ARL GREY'S Government contained within it from the first forces tending to disruption. Besides its erratic Lord Chancellor it comprised—

- (1) Former Tories—Richmond, Goderich, Grant, Wynn, Palmerston, Melbourne.
- (2) Whigs more or less Conservative—Grey, Howick, Lansdowne, Spring Rice, Graham, Stanley.
- (3) Whigs inclined to court Radical and Irish aid—Durham, Anglesey, Holland, Ellice, Poulett Thomson, Hobhouse, Lord John Russell.

In determination to cut down wasteful expenditure and to push Parliamentary Reform, Graham was himself half Radical. But he was by pledges bound, and by personal conviction predisposed to maintain old national institutions, especially the Protestant Established Church. 'I have been,' he told his first constituents, 'most rigidly educated in its principles, and I love it from the bottom of my heart.' A love that all his colleagues did not share.

'Never was there a Cabinet,' he declared, 'in which more mutual confidence existed, for three years and a half, than that of Lord Grey. There was but one fatal subject of difference, the Irish Church.'

No doubt that was the fatal subject, but on some other questions symptoms of divergence in the Cabinet appear in private letters undisguised.

Ministers were pressed also by supporters pledged to vigorous reforms. Lord Brougham writes :

Our majority is not made up of men we can reckon upon as of old—nominees, and persons with few constituents, attached to us as members of a party. We talk of having it all our own way. True the Tories have none of their way, but does it follow that we have ours ? Only if we go in one direction, and far enough. Of 'thick and thin men' in the old sense we have not many more than are in office ; and the body of expectants is reduced to few indeed ; partly because everything is cut down, partly because to take any place costs a troublesome election.

Therefore we must make up our minds to give a large lump of reform and improvement with a good grace. You and I like it, but I am speaking of others.

On Ireland Graham corresponded freely alike with Lord Lieutenant and Chief Secretary. Neither of them was in the Cabinet ; both were at war with O'Connell. Anglesey fought him with proclamations and prosecutions. Stanley in 1831, like Peel in 1815 and Hardinge in 1830, stung by insults of the Irish leader, challenged him to mortal combat, but he would not fight. Anglesey was keen to legislate for Ireland ; and so was Stanley. But on measures they inclined to differ.

*From the Marquis of Anglesey*

PHENIX PARK, July 30, 1831.

What an immense maze of embarrassment we all have around us !

Nothing but a conviction of the overwhelming business of the Cabinet—whose members must be worn down by their parliamentary duties, in addition to the many other immensely important ones in which they are engaged—could prevent me from urging in the most forcible manner the necessities and the dangerous aspect of this country, which nothing but prompt and decisive measures of relief can amend. . . .

The fact is, that rapidity of decision and prompt execution is everything in this country. No stranger can imagine the moral effect it has. You should legislate for Ireland with the rapidity of lightning. And depend upon it that the only way of rendering O'Connell harmless is by anticipating him, and preventing him from having the advantage of the initiative in all healing measures.

I have pressed our wants in Ireland upon *you*, because I am sure you will give me credit for only recommending matters after the fullest consideration, and after having consulted the very best heads of all parties.

*To the Marquis of Anglesey**Private.*

August 2, 1831.

I am fully aware of the urgent necessity—even in the present endless session—of boldly meeting the great questions respecting Ireland enumerated in your letter, and it is of the last importance that every measure of an ameliorating and soothing character should emanate from the Government, and not appear to be forced on them by O'Connell. . . .

We do not overlook the difficulties of your position, or neglect the subjects to which you call our attention, but we are distracted with the daily cares around us, and I am sorry to own that 'the rapidity of lightning' is not our characteristic.

During the next twelve months Ireland's impatience of Whig coercion grew so fast that, in view of Lord

Anglesey's apprehensions of armed conflict, Sir James Graham thought it right to organise an imposing naval demonstration.

*To the Marquis of Anglesey*

ADMIRALTY, July 9, 1832.

In consequence of your letters, which present a fearful picture of impending civil war in Ireland, I have thought that I could render you some assistance by sending Sir Pulteney Malcolm to Cork with the *Donegal*, *Castor*, *Nimrod*, *Orestes*, and *Trinculo*. The *Vernon* will follow with the *Tyne* and *Snake*. I intend also to send one of our large steam-boats to Cork; and a steamer of war with a sixty-eight pounder on board will follow in a fortnight.

Sir Pulteney will call at Plymouth, and embark three hundred and fifty additional marines; the *Vernon* will take to Cork a company of marine artillery with a complete train of field guns, and I shall send a field-officer of high reputation and experience, who, if the marines are landed, will command them.

The moral effect of the presence of this armament will, I hope, be salutary. You may expect them in ten days. Four regiments will be sent to you instantly.

*From the Marquis of Anglesey*

July 11.—You have magnificently anticipated me, and I expect a most favourable result from your most powerful naval demonstration.

By this time some of the Conservative Whigs had begun to doubt Lord Anglesey's discretion in dealing with O'Connell, while, on the other hand, Anglesey distrusted Stanley on Church Reform.

*To Hon. E. G. Stanley*

GOODWOOD, August 16, 1832.

I came here yesterday, after dining with Althorp, where we arranged the King's Speech; Lord Grey goes to Howick, and will not return before the first week of

October, to which time everything is postponed, and the Government is left to take care of itself.

I do not like the Cork dialogue. These free and easy discussions with agitators are full of danger, and the promises and the threats are equally imprudent. The Duke [of Richmond] is horrified, and says 'He [Anglesey] ought not to remain.'

We have had a beautiful race for the Cup. Priam won with very great difficulty, Bairam running a magnificent second, and proving himself the best horse of his year, for he ran with Giles at even weights, and gave Lady Fly sixteen pounds, and beat them both into fits; and the Great King Priam himself only managed to win by half a head. The betting was even between the field and Priam; a great deal of money out, and the Chesterfield stable made a good thing of it. I was content to deposit my simple pony.

*To the Marquis of Anglesey*

RYDE, August 21, 1832.

I know not what to hope or think respecting Ireland. There appears no alternative left but to govern by force, or to yield to combined violence; and I fear before any fresh concession of real importance can be made with safety the unruly spirit of triumphant insubordination must receive a decisive check.

'Half-measures' are generally bad; but Ireland is rent asunder by violent extremes, and if the middle course be not safe or expedient, then we must either resort to Protestant Ascendancy, or rule by the mandate of Catholic agitators, and in either case abdicate the functions of a supreme and independent Legislature.

September 22.—I will endeavour to keep on the coast of Ireland a flying squadron of small ships of war, but the contest in Portugal and the unsettled state of our relations with the King of Holland give rise to such heavy demands on our limited naval means, that I have great difficulty in supplying the force required, without exceeding the grants made by Parliament.

*From the Marquis of Anglesey*PHENIX PARK, *October 6, 1832.*

Stanley leaves us to-day, to meet you all in Council next week, and you will have weighty measures indeed in hand.

I shall send in a paper on Ireland, and I bespeak your attention to it. There is no pains I have not taken to come to a just conclusion upon the various important subjects which must be settled.

I venture to say I have not a particle of prejudice either political or religious. I see things with the most unbiassed eyes, and I am perfectly certain that if all the measures I recommend are not *speedily* adopted, very much more distressing ones will be forced upon you.

If you do not reform the Church to the full extent recommended, you will soon be without one. The thing is inevitable, and why not do it boldly and with a good grace, and obtain credit for it, instead of being driven to it, and then taunted with want of vigour? Do let us draw the teeth of these confounded agitators. I fear, indeed I am sure, Stanley's views upon Church matters are not sound, and will not be tolerated nowadays.

On the same day Graham writes to Lord Grey :

The partial reconstruction of your Government which is necessary will, I hope, be found not impracticable. But, permit me to say, the requisite changes must be rather dictated by you than discussed among ourselves ; and, for the honour of public men and for the safety of the country, I trust that in no quarter selfish motives will predominate for one moment.

The Prime Minister replies :

*October 7.*—I concur in all your views of our situation, external and domestic. But of these when we meet.

'Church matters' presented an arduous problem. In the interests of the Irish Church, Committees of both Lords and Commons had recommended 'complete extinction of tithes' by commutation. Stanley prepared

therefore a compulsory but moderate Bill, and procured for it the assent of the Cabinet, against the will of such colleagues as Durham, but with warm support from Graham and Grey.

In Ireland this measure, and also the Reform Act—which did not restore votes to the forty-shilling freeholders disfranchised by Peel—caused much dissatisfaction, and the country became ungovernable unless by force. Stanley, finding his best efforts ill received, and himself abused in coarse terms by O'Connell, grew weary of Ireland, and his resolve to have done with it became at last so strong that the Prime Minister invoked Sir James Graham's aid.

*From Earl Grey*

*Private.*

EAST SHEEN, *November 3, 1832.*

I enclose a copy of a letter which I have written to Stanley. Pray write to him in the same sense. Nothing could be more fatal to the Government than his retiring from his situation at this moment, and, indeed, I do not see how he could assign any ground for it which any impartial person would consider a justification, all his views having been assented to by the Cabinet.

*To Hon. E. G. Stanley*

*Private.*

ADMIRALTY, *November 3, 1832.*

I have just received the enclosed note from Lord Grey.

I know that you regard me as a sincere friend, and believe me incapable of giving you any advice inconsistent with your character and fair fame. I am willing therefore, to hope that my opinion may have some weight with you.

I by no means deny that an entire change in the Irish Government, and a reconstruction of the Colonial Department, would have given facility to the measures which we contemplate. But such extensive changes are impossible unless the different members composing



the Cabinet are all equally influenced by generous motives, and prepared to sacrifice their favourite objects to the public good. I fear that in political life no such phantom will ever be realised.

Lord Anglesey will not leave Ireland, and if he adopt our measures, obey his instructions, and be willing cordially to co-operate, it is not possible to remove him. But if the Lord Lieutenancy of Ireland be not vacated, how is an opening to be made for you here, without the removal of some colleague ?

You know the nature of Lord Grey. He will not dismiss a colleague who has not offended ; he will not even accept the resignation of an attached friend. The only chance of effecting a reconstruction has depended on declarations of willingness to move.

Some of these have not been wanting, but no resignation has been offered which in his judgment afforded the necessary facilities. You know the disposition of the Duke of Richmond and of myself, but changes effected by our removal would be unacceptable to you.

How, then, is Lord Grey to proceed ? He will not force a change, he cannot obtain a voluntary one, and nothing remains but either to dissolve the Administration, or for the present to go on without altering its construction.

Take, first, the former alternative. When we reflect on the present state of our foreign relations, and the approaching trial in the new Parliament of our grand experiment [the Reform Act], every sentiment of public honour, manly courage, and patriotic virtue forbids even the idea of flying from our posts in this hour of difficulty and of danger.

What, then, are the objections to an honest endeavour to face our difficulties with an unbroken front, and without a change of posts ?

O'Connell will rage, but will not rebel. The Irish members may storm ; but they never will be satisfied with any Irish Secretary unless he be willing to consent to their pocketing the tithes ; and though they hate you they fear you.

If you had failed in carrying through the Cabinet the adoption of your plan of Church Reform, which

remedies the real grievances, and is a barrier against spoliation, you would have done right instantly to resign ; and though—under that salutary restraint which in honour forbids a cabal among colleagues—I never told you my intentions, you may rest assured you would not have resigned alone.

But remember what was the conduct of Lord Grey. Recollect how he stood by you, how he hazarded the closest ties of his political life, how he has secured the accomplishment of your great measure. Then read over again his letter, attend to arguments which I should only weaken if I repeated, and, above all, pause before you turn aside from a request which he makes to you 'for his own sake.' We admire his public conduct ; we are devoted to his principles. Let not with us be the blame of overthrowing his Administration.

I am persuaded that you alone can do justice to your own plan ; and I am decidedly of opinion, after maturely deliberating on the present state of the Cabinet, that you cannot save the Church of Ireland, or execute your own wise and virtuous purpose, if you refuse for the present to remain Secretary for Ireland.

*November 5.*—The Duke of Richmond has seen Lord Grey's letter to you, and adopts the reasoning contained in it ; and we both agree in urging you for the present to hold the post.

Letters of earlier date refer to offers from Graham and Richmond to make room for Stanley.

*From Earl Grey*

Howick, *September 21, 1832.*

What you say about your place is only an additional proof of the kind and affectionate support I have always received from you. But there is another place which will require much more serious consideration, and which frequent warnings tell me ought to be more efficiently occupied.

*From the Duke of Richmond*

Goodwood, *October 6, 1832.*

Stanley will not return to Ireland, and must have

an office, and a high one too ; for without him the House of Commons will not be managed. Appoint Goderich with an Earldom to the Post Office ; let Stanley take his place [at the Colonial Office] ; and let John Russell be tied up not to make a speech anywhere but in the House of Commons.

*November 4.*—My plan [vacating the Post Office for Goderich] would remove every difficulty ; and as long as Lord Grey, Stanley, and yourself remain in the Administration, you would be certain of my vote, and my support out of Government might be of some small benefit to you ; whereas my continuance in office does you more harm than good.

*From Earl Grey*

*November 5.*—I return the Duke of Richmond's note. It shows his usual kindness, for which I shall always be most grateful. I should be annoyed beyond measure at his going out, and I do not see how his place [the Post Office] could admit an arrangement.

*November 8.*—I have a very handsome letter from Stanley, in which, not disguising his extreme dislike of his situation, he agrees to remain. I need not repeat my feeling of the debt of gratitude which I owe both to you and to him for all your kindness to me.

*To Earl Grey*

*November 13.*—The answer from Stanley is worthy of him, exactly what I expected from a man whom I so highly esteem. It is of the greatest importance that you and he should remain indissolubly united.

*From the Duke of Richmond*

*November 11, 1832.*

Stanley has indeed sacrificed himself for the Government, and I trust that before long he will be promoted. Depend upon it, the day will arrive when he will be Prime Minister, and a very good one he will make.

*To Hon. E. G. Stanley*

*Confidential.*

*November 18, 1832.*

Your generous decision to remain in Ireland was worthy of you. I never saw Lord Grey more touched and gratified by any act of any colleague, and it has confirmed that indissoluble union between you and him which I have been most anxious to see established because I believe it to be necessary for the public good.

Between the duties of my office, which are now almost as heavy as in time of war, and the labours of a Committee on the Indian Charter, for the last week I have not found time to write. I feared also that I might do mischief so long as the course to be pursued by Durham remained uncertain.

I warned Lord Grey that it appeared to me he was taking ground to break with us. He had not told any of us that the manifesto had been transmitted by him to you ; but since he gave it to Lord Grey he has absented himself from the Cabinet, and about three days ago, at his own table, he abused his colleagues in such offensive terms that even Poulett Thomson, who as *ami intime* was present, entreated him to desist.

Yesterday your letter arrived, announcing to Lord Grey that the letter had been sent to you, and calling for a declaration from all the members of the Cabinet whether your plan was to receive the support of the entire Government. This brings matters to a crisis.

Richmond and I dined with Althorp yesterday, where we had a full discussion. Durham, it appears, has intimated to Lord Grey that, if you were made Secretary of State while he was destined to remain Privy Seal, he would instantly resign.

Brougham therefore suggested to Althorp, and I strenuously urged it, that Lord Grey should write to Durham at once, and state to him that he has received this message, and, as he is resolved to make you Secretary for the Colonies, he is under the necessity of calling on him to surrender the Privy Seal. Althorp entirely approved of this advice.

Ellice, Hobhouse, Poulett Thomson, Barnes the Editor of *The Times*, and Young, Melbourne's secretary,

were to dine with Durham yesterday in close council. Althorp thinks that neither Hobhouse nor Thomson will follow Durham [in resigning], but will continue to act with him. Ellice, on the contrary, will accept no office, and I fear will join with Durham in decrying our Irish policy.

With Althorp and John Russell I have had most satisfactory conversations. Having acquiesced in your measure, however reluctantly, they will, like men of honour and high feeling, assist you to carry it, while from a sense of public duty they remain your colleagues.

*November 19.*—Ellice has discovered the danger of Durham's position, and has induced him to succumb for the moment, because the ground of dispute partakes too much of a personal character.

Durham also has shifted the reason which he assigns for his present anger, and rests his case on the appointment of Stratford Canning to St. Petersburg in defiance of his remonstrance,<sup>1</sup> which Palmerston, he says, should have communicated to the Cabinet.

I am inclined now to believe that Durham will rest satisfied with his protest against your plan, and will watch some more favourable opportunity of breaking with us. Ellice has advised him to resign the Privy Seal, with a view to facilitate the arrangement which you desire, offering to remain in the Cabinet without an office. It is, I think, the course that he will take, and it is good advice, for it would place him on high ground. But his pride and his temper rebel against any such surrender. His ambition is of a wilder flight, and he looks to being the head of a *mouvement* Government.

*From Hon. E. G. Stanley*

*Private and Confidential.*

PHOENIX PARK, *November 21, 1832.*

I agree with you in thinking that Durham has found out his mistake, and will await a more favourable moment for breaking with us.

<sup>1</sup> Lord Durham had been Ambassador to St. Petersburg in 1832, and became so again 1835-7. Stratford Canning had made himself by his overbearing temper an object of intense personal dislike to the Czar, who positively refused to receive him.

Lord Grey is very decided. He speaks of Durham's views and conduct as being 'a very painful subject' to him, but one that he must meet.

I have sent my answer to Durham's paper. I have written to him civilly, saying it is necessary we should understand each other clearly, agree—if we can agree—fully and cordially, or differ—if we must differ—broadly and openly. I have then called for the decision of the Cabinet between us, and that decision made he must yield, or go; and he knows it.

Nothing would suit him better, with his views of leading a *mouvement* Government, than breaking with us on the Church policy, if he dare.

Graham had long regarded Lord Durham as, from his excitable temper, an almost impossible colleague. In 1831 he had written to Lord Grey :

I was grieved beyond measure at the occurrences of the evening when we dined at Althorp's.<sup>1</sup> If anything were wanting to increase my admiration or attachment to your service, your patience, forbearance, and kindness on that occasion would for ever have secured it.

Such scenes, however, cannot be repeated, and I fear there is but one security against them, which Lord Durham, being dissatisfied with his colleagues, ought to give, in the manner least injurious to the public service, and that is his retirement from office, without seeking a quarrel which in appearance only may seem founded on public principle.

And in 1833 he wrote to Mr. Stanley :

DEVONPORT, *September 18.*

Lambton has been 'going it' at Cowes—fireworks to the Duchess of Kent and the young Victoria, with the Royal Arms; the motto '*Le jour viendra.*'

It won't do, after all. His day will never come.

When Parliament met in 1833, Greville well describes the first Reformed House of Commons.<sup>2</sup>

<sup>1</sup> See *Greville Memoirs*, ii. 232.      <sup>2</sup> *Ibid.*, 369.

There exists no party but that of the Government. The Irish act in a body under O'Connell, to the number of about forty ; the Radicals are scattered up and down without a leader—numerous, restless, turbulent, and bold ; the Tories are without a head, frightened, angry, and sulky.

The want of any organised Opposition made the conflicting tendencies within the Cabinet more dangerous. On Coercion the Whigs agreed fairly, but, after O'Connell's onslaught on their policy as 'brutal, bloody, and unconstitutional,' Althorp's speech in introducing the Peace Preservation Bill was so half-hearted that it might have wrecked the measure, had not Stanley's eloquence come to the rescue. His re-statement of the case was so full of power and persuasion that it achieved, in Lord Russell's words,<sup>1</sup> 'one of the greatest triumphs ever won in a popular assembly by the power of oratory.'

This carried Coercion. On the Church Mr. Ellice wrote :

*February 7, 1833.*—The question which will make or mar the Government is the Irish Church ; and I am at a loss to discover what of principle there can be involved in a satisfactory settlement of it, beyond one of degree and expediency.

Did you ever expect that a Reformed Parliament would be able to reconcile the great mass of the people of Ireland to the Episcopal Church as by law established ? And, if not, surely a whole remedy is the best.

You may secure the whole concern in England by throwing the Irish lumber overboard. Take care that you do not swamp both by tying them together.

A few days later came the changes which Ellice in November had advised. Durham resigned the Privy

<sup>1</sup> *Recollections*, p. 113.

Seal, and became an Earl. Goderich accepted the Privy Seal, as Earl of Ripon. Stanley took the Colonies.

This was all as Graham wished, but he still remained uneasy as to the prospects of the Government. In the autumn he writes to Earl Grey :

*October 2.*—I hope you are well and ready to resume the helm. The ship, I can assure you, is lost, and goes to pieces at once, if you abandon it and seek to entrust it to any other hand whatever. I do not write this unadvisedly.

On Ireland Graham continued to correspond with Stanley's successor, Mr. Littleton (afterwards Lord Hatherton). Lord Anglesey had retired from ill health, and the new Viceroy was Marquis Wellesley. Littleton writes :

DUBLIN CASTLE, *September 30, 1833.*

Lord Wellesley is hardly yet settled, and we have not discussed public matters much ; but I see nothing discouraging in their aspect, much on the contrary that is promising.

I am rather sanguine that we shall keep O'Connell quiet. To me he has behaved remarkably well, and has gone a little out of his way to make smooth water for me. My opinion is, that a great effort ought to be made to propitiate him.

*To Mr. Littleton*

*October 19, 1833.*

You promise not to perplex us, and yet you threaten us with two plans [for Tithes]. If you wished to drive us to our wits' end, that is the approved mode.

For Heaven's sake, send us only one, and let that be the one on which you are all agreed, and which, as men of the world, although you may not consider it best in the abstract, you may deem most feasible, likely to encounter the least opposition, to excite least discussion among friends, and to give the least hold for strong



opposition to our enemies. Choose the one which most answers this description, and send it over to us. Keep the other at the bottom of your portfolio. Believe me, this is sound advice.

*October 22.*—I am glad that any Minister even for a single day has been able to gather unfading laurel in Ireland. The soil is not genial to that plant. I pray that it may be reserved for you to win and to wear the civic Irish crown. If you can settle the Tithe question, that distinction awaits you.

Next year hardly had the session opened when unexpectedly Sir James Graham found himself in trouble about an Irish judge.

*To Earl Grey*

ADMIRALTY, *February 13, 1834.*

I have been compelled by a sense of duty to vote against my colleagues on a question of importance.

Mr. O'Connell had given notice of a motion 'to call the attention of the House to the conduct of Mr. Baron Smith, with a view to his removal from the Bench.'

The grounds for this motion were well known. The first was a return presented to the House last session, which proved that Baron Smith did not go into Court till very late, and often tried prisoners until midnight. The second ground was a political charge of an Orange character which he delivered last autumn. He had also on former occasions delivered similar charges.

In these circumstances it is decided that the motion is to be opposed by Government, and the Secretary for Ireland so informs Mr. Baron Smith. On this understanding we enter the House. Mr. O'Connell instead of preferring charges, and laying them on the Table, which is the constitutional mode of proceeding, moves for a Committee of Inquiry; and, under cover of the variance between the notice and the motion, Mr. Littleton, by direction of Lord Althorp, consents to the Committee.

In supporting this the Solicitor-General said he was prepared, if the charges were proved, to address the Crown to remove Baron Smith from the Bench.

But the facts are notorious, and require no proof. The appointment, therefore, of a Committee can only be regarded as the condemnation of the judge. And who was his accuser ? Mr. O'Connell and the Repealers. And what was the front of his offence ? An indiscreet charge, levelled against agitators, resistance to tithe, and Repeal of the Union. For this he is to be handed over by the Government to his enemies. Mr. O'Connell is to triumph, and the law in Ireland in the person of a judge is to be trodden down.

He cannot be removed from the Bench unless both Houses concur in an address to the Crown. Can we expect concurrence of the House of Lords ? If collision between the two Houses be inevitable, can any ground of quarrel be conceived more dangerous than this ?

Is a judge to remain on the Bench in Ireland accused of a political bias, degraded, condemned by the Commons, yet supported by the Lords ?

My belief is, that this will undo all the good in Ireland which we have laboured to effect ; it will lead to the belief that the power of O'Connell is irresistible, that judges, law, authority, fall before him, and the Government itself is paralysed and afraid. I fear, also, that the judges in Ireland will bitterly resent this attack on their independent station ; and even the judges in England would view with jealousy the erection of a new tribunal before which, on the allegation of a single member, they may be summoned to appear.

I have thus hastily stated the case on my return from the House, before I go to bed. But having been compelled by a paramount sense of duty to vote against the appointment of this Committee, in opposition to my colleagues, thinking the error committed dangerous, and the worst consequences most probable, I can only resign the office which I hold.

This statement of the case, penned offhand, at night, after a hot debate, was open to reply. But it shows the independence of Graham's political judgment, and the answer of Lord Grey presents a pleasing contrast to Wellington's treatment of a similar resignation by Huskisson :

Your letter regarding Baron Smith has distressed me to the greatest degree. Let me see you this morning, and in the meantime, let me beg you to take—or at least to announce—no resolution to resign; which I have no hesitation in saying, however unlucky the circumstances may be, would be utterly unjustifiable.

What passed with Lord Grey is not recorded, but Sir James had the best of reasons for not pressing his resignation. The vote which he had opposed was promptly rescinded, and the judge was let alone.

On May 6 the conflict of opinions and of policies which had all along divided the Cabinet came openly before the House of Commons. In introducing his Tithe Bill, Mr. Stanley had quoted Mr. O'Connell, as having declared over and over again that 'it was not of the amount of tithes that the people of Ireland complained, but of the objects to which that amount, when paid, was applied,' and Mr. Sheil had exclaimed, 'That is the whole case.' This raised the question in its broadest form, and Lord John Russell, following in debate, announced that, when Parliament had vindicated the property in tithes, he should then be prepared to assert his opinion with regard to their appropriation, and at whatever cost and sacrifice to do justice to Ireland. 'If ever there were a just ground of complaint on the part of any people against any grievance, it was the complaint of the people of Ireland against the present appropriation of tithes.'

The effect of this uncompromising announcement Lord John has himself recorded:

My speech made a great impression. The cheering was loud and general, and Stanley pronounced his sense



John Russett has upset the coach.

We cannot go on after his declaration that  
"if ever a nation had a right to complain of any  
Government, it is the people of Ireland of the  
Church of Ireland."

John Russett is now in N. Y. Congress  
during which on his Irish (Catholic) side in  
May 1874

FACSIMILE NOTE: FROM THE RT. HON. E. G. STANLEY, MAY, 1834.

of it in a well-known note to Graham, 'Johnny has upset the coach.'

On which his biographer remarks, 'With Mr. Stanley Lord John remained Johnny to the last.'

It was not so, however, this time. Sir James Graham preserved the paper. It is endorsed, 'Rt. Hon. E. G. Stanley, Note handed to me in House of Commons during debate on Irish Church Bill in May 1834'; and the words are :

John Russell has upset the Coach. We cannot go on after his declaration that 'if ever a nation had a right to complain of any grievance, it is the people of Ireland of the Church of Ireland.'

Lord John adds :

When the Cabinet next met, much dissatisfaction was expressed. Some wished me to retract what I had said, but that I positively refused to do. Lord Althorp testified to the hearty cheering from all sides of the Liberal party.

Among the most aggrieved Whigs was the Lord Chancellor, who wrote in great excitement :

*Wednesday May [7], 1834.*

I never was more disgusted or indignant in my whole life than with J. R.'s effusions of mere senseless vanity last night. I have written to him my full opinion, and have desired him to consider the dreadful responsibility he has so uselessly taken upon him.

J. R. is a little bit mistaken if he imagines that I make no sacrifice to unanimity among colleagues, whom I love and respect even when I differ with them ; if he thinks that I do not often pass bitter moments in feeling that my motives may be misconceived by the country. I have always borne a far more forward part in Irish questions than ever he did.

But that does not make me run riot every time a chance arises of my conduct being impugned, or my motives mistaken. Then why, in God's name, should he ?

After this outburst of Lord John Russell the split in the Cabinet could no longer be disguised.

A few days later a private member gave notice of a motion that 'the temporal possessions of the Church of Ireland ought to be reduced.' The move was instigated, it was said, by Lord Durham's party. Lord Palmerston writes to his brother :

The way they managed the thing was this. . . . John Russell had said that if ever a nation had a just grievance the Irish were that nation, and that grievance the Church, and that he would separate if this grievance was not speedily remedied.\*§ Durham and Co. immediately put their wedge into this crack. They got Ward to bring the question on prematurely, to force us to a vote upon it ; and when it was found that we should parry the blow, and have a majority on the previous question, an effort, which proved successful, was made to get Stanley and Graham to resign before the debate came on.<sup>1</sup>

Both Brougham and Palmerston had striven in vain to avert this.

*From Lord Brougham*

*Confidential.*

HOUSE OF LORDS, *Monday.*

I have inquired in every way I safely could as to any effect J. Russell's outbreak may be supposed to have had, and I find but one opinion, that it has excited no sensation at all. Everybody blamed it who thought about the matter, but hardly anyone said much of it, most said nothing at all. So it has blown over. This is a very material circumstance for your consideration, because I

<sup>1</sup> Ashley's *Life of Lord Palmerston*, i. 205.

feel afraid that Lord Grey or Althorp now saying anything, or you or Stanley doing so, would only revive and give it importance, which it really has not.

*From Lord Palmerston*

*May 28, 1834.*

Let me suggest one point for the consideration of yourself and Stanley with reference to the unfortunate discussion which is to be resumed to-day.

Lord Grey has told us, in a manner too positive to leave any doubt on the subject, that a reconstruction of the Government must take place during the recess. Does it not follow as a matter of absolute necessity that when such reconstruction takes place the question at issue must be decided as a point of conduct for the Government that is to be formed? And would that not be the natural time at which the opinions of yourself and Stanley would be brought practically to bear upon your continuance in office, and that in a way which could leave you exposed to no misrepresentation?

For the Cabinet the problem was this. To negative Ward's motion would drive out Lord John Russell, Lord Althorp, and others committed to the principle of 'appropriation.' To support the motion would drive out Stanley and Graham, and perhaps also Lord Grey, without whom the Government could not stand. To appoint, as had been suggested, a Commission to inquire and advise was open to an objection that Ministers consenting to a Commission would be too much bound by its advice. This was urged by Graham.

There remained a fourth alternative—to get rid of Ward's motion by the previous question. Why this course was not followed is not clear. Palmerston says there would have been a majority for it, and it would probably have had the support of Peel.<sup>1</sup> Graham's

<sup>1</sup> *Sir Robert Peel*, ii. 243.



papers do not quite explain this, but of the pressure used to get him and Stanley to resign he has left a careful record :

*Minute of the occurrences at the Levée on the 27th May, which produced my resignation that day at St. James's.*

ADMIRALTY, May 27, 1834.

After the Levée this day, Lords Lansdowne, Ripon, Palmerston, the Duke of Richmond, Mr. Stanley, and I remained in the Throne Room waiting for audiences.

Lord Grey was in the Closet with the King : about a quarter before five he came out and said that the King was anxious that a Cabinet should be held before the commencement of the debate.

We pointed to the clock, and, being convinced that the Cabinet could not be assembled in the time, he returned into the Closet to His Majesty.

In about five minutes he came again into the Throne Room, and advancing to the corner of the room, where I and my five colleagues were standing, he said, ' Lord Holland and Ellice are below in Sir Herbert Taylor's room ; Ellice, from what he hears, thinks ill of the state of the House of Commons ; the debate will be most angry and very unpleasant, and both he and Lord Holland are of opinion that the resignations should be given and accepted before the debate begins, and that the debate may be thus avoided.' Lord Grey's manner was hurried and agitated.

Stanley and I both at once declared that we agreed in opinion with Lord Holland and Ellice, that we thought our immediate resignation the best course, and urged Lord Grey to accept it.

Lord Lansdowne and Lord Palmerston both objected, particularly the former, who said this was contrary to the agreement at the Cabinet on Sunday, and asked what advantage would be gained by shrinking from the debate, when we might carry the previous question.

Stanley was about to argue it with him, when Lord Grey pressed Lord Lansdowne and Lord Palmerston to go downstairs to Sir Herbert Taylor's room, and to

discuss the matter with Lord Holland and Ellice. He then hurried them away.

I did not see Lord Grey, Lord Lansdowne, or Lord Palmerston again at St. James's; and neither I nor my colleagues who remained received any note or message from them. Lord Grey must have retired by the King's private stairs.

The Duke of Richmond first saw the King, then Lord Ripon, then Mr. Stanley. I was the last Cabinet Minister who had an audience.

The King began by observing that I might imagine he was anxious to speak to me, in the very distressing circumstances in which he found himself placed. He knew, he said, all that had taken place at the Cabinet on Sunday, and that it was my wish, as well as Mr. Stanley's, to resign immediately. He added some very gracious expressions of approbation of my conduct since I had been in his service, was deeply affected, almost to tears, and said it was painful to accept a resignation in such circumstances. He then asked me if I had seen Lord Grey.

I said, 'Not since Sunday, excepting in the Ante-chamber.' He then said, 'What is your opinion?'

I answered, after some dutiful expressions of gratitude, that my opinion was quite decided in favour of immediate resignation: that a vote of the House of Commons, which I thought dangerous, might thus be averted; that the present session might be got over with only partial changes in the Government, that His Majesty would gain time, and that the entire overthrow of the Administration might be avoided by immediate acceptance of the proposed resignations.

The King then said hastily, 'Well, go to Lord Grey, and tell him I have accepted your resignation, on the condition that he accepts it.'

I then rose, and said I hoped I might have another audience before I left his service; and the King graciously answered, 'Yes, I hope a thousand.'

I then hastened to Lord Grey's house, and finding he had gone to the House of Lords I followed him there, and in the Lord Chancellor's room I found the Duke of Richmond, Lord Ripon, and Mr. Stanley waiting for

Lord Grey, who was in the House. Lord Althorp was in the room.

I asked Lord Althorp if he thought we had acted with propriety in resigning. He said, 'You were quite right; you could not do otherwise.'

Lord Lansdowne then came into the room, and he was astonished, and much hurt, when he found that we had resigned, and that our resignations had been conditionally accepted; for it appeared from his account that Lord Holland and Ellice had failed to convince him and Lord Palmerston in Sir H. Taylor's room of the propriety of avoiding the debate and the division, and that they had parted on the understanding that it was to take its course, that the debate should proceed, and that we should abide the issue of the previous question.

Lord Grey came in, and declared that we were not authorised in resigning by anything he had said in the Throne Room.

The four Ministers who had resigned all assured him we drew but one inference from that conversation; which was that he wished we should tender our resignations; and if, after seeing the King a second time he had changed his mind, he did not communicate the change to us, and we were left in ignorance of what had taken place downstairs between Lord Lansdowne, Lord Holland, and Ellice.

Lord Grey said, if Lord Lansdowne would not continue in office, he would not try to go on with the Government, and would not accept our resignations, the condition with the King being that if he accepted them he should still remain at the head of affairs.

Lord Lansdowne hesitated very much, but at last consented that Lord Althorp should move the adjournment of the debate, intimating that resignations had taken place, he reserving to himself the full right of objecting to persons who might be proposed as successors to the vacant offices, and of resigning if he were not satisfied on this head.

J. R. G. GRAHAM.

This record shows that at the last there was hurry and

confusion ; that the King and Lord Grey desired another Cabinet, which time did not permit ; that Ellice and Lord Holland, who pressed for resignations, and Lansdowne and Palmerston, who argued against them, had a last conference with each other, but not with the four Ministers chiefly concerned ; that all the four understood Lord Grey to be supporting Ellice ; and, lastly, that Graham himself saw reasons for immediate resignation.

But the King told the Duke of Richmond that the four members of the Cabinet who had quitted it were the four whom he liked best of all.<sup>1</sup>

<sup>1</sup> *Greville Memoirs*, iii. 92.

## CHAPTER IX

1834

Correspondence on leaving Office—Principles of Church Reform—Farewells to Colleagues and to the Admiralty—Irish Church Commission—Co-operation with Peel—Coercion Bill—Littleton and O'Connell—Ellice and Brougham—Resignation of Lord Grey—'Removal' of Melbourne—Decision against joining Peel.

THE story of the secession of four members of Lord Grey's Cabinet on the question of 'Appropriation' has been given in detail, because it marks a turning-point, and furnishes a clue to all the later political course of Sir James Graham. Believing as he did in government by party, so long as conscience would permit he worked on with the Whigs. But when they entered into alliance with O'Connell to alienate Church funds to secular objects, he stoutly refused to be responsible with them for abandoning the main principle, as he conceived it, of a Protestant Established Church. Extracts from his correspondence make this clear.

*From Lord Wallace*

*May 29, 1834.*

I avail myself of the privilege of old friendship to congratulate you on the circumstances that have marked your retirement, and made you deservedly the object of all the applause and respect that everywhere attends you.

You know me enough to be sure that no regard to the political effects your secession from the Government may produce mixes itself with the gratification I have

felt on this occasion—that it arises solely from yourself, from the memory of those that are gone, and the manner in which you have borne this *great trial* of your firmness and your principles ; which ensures you the confidence of the country, and will afford you the means of being more useful to it hereafter, when, I hope at no distant period, you will be again claimed for its service.

*To Lord Wallace*

I am sincerely gratified by the warm friendship of your letter. In difficult circumstances I have endeavoured to do my duty, and the approbation of good men whose judgment I respect is itself a high reward.

*From Lord Stanley*

KNOWSLEY, June 1, 1834.

I congratulate you and your seceding brethren on the relief to yourselves, though I cannot but regret the occurrences which have rendered such a secession necessary.

How on earth is it to end ? I cannot think that—after his own language to the Dissenter deputations and the King's answer to the Clergy's address—Lord Grey can give way entirely to the Ultra Radicals ; and if he does not, how can he go on better now than he could before ?

*To Lord Stanley*

ADMIRALTY, June 4, 1834.

Amidst many sacrifices, and at the moment of a most painful separation from friends whom I respect and value, it is a consolation to act in perfect concord with your son, whose example I am proud to imitate, and whose principles I entirely espouse.

That they should be approved by Lord Derby and by yourself is also a satisfactory proof that they are not inconsistent with those genuine Whig principles which, as I understood them on my first entrance into public life, and when I ardently embraced them, were not incompatible with the firm maintenance of the Established Protestant religion, that religion of perfect freedom, which

the Revolution of 1688 bore triumphant over Popery and regal tyranny.

From his Oxford tutor, now Dean Goodenough, came warm recognition of his fidelity to the Church.

DEANERY, WELLS, SOMERSET, *June 9, 1834.*

You know that I busy myself with general politics less than most men ; but this is an occasion which cannot fail to stir the heart of every one who is concerned for the integrity of the Protestant Establishment, and it is therefore not only out of strong private affection, but from the public feeling which I share with all around me, that I say the country owes you the deepest debt of gratitude for the noble stand you have made in behalf of the Church. God prosper you in the maintenance of such opinions.

The abandonment of office will no doubt be felt as a great relief to yourself in all private and domestic points of view. But I have had ample occasion to know that both at the Admiralty and in the glorious profession over which you have presided it will be considered as one of the severest losses they could have undergone. It is notorious that in the several departments of the late Government the Admiralty is the only one which has given complete and unequivocal satisfaction.

To another early friend and mentor, Lord William Bentinck, now closing his career as Governor-General of India—who had lately written ‘of all my friends, none can have a warmer place in my affection than yourself’—Sir James briefly explains his chief motive for withdrawal.

ADMIRALTY, *June 12, 1834.*

Though anxious to reform the Church, I could not consent to measures which appeared to me calculated to overthrow it ; and, believing sincerely that the maintenance of the Protestant Establishment in Ireland is necessary for the preservation of the Union, now so fiercely assailed, I could accept no compromise.

It is vain at this distance to discuss such points with you. I trust, however, you will be pleased to know that at an immense sacrifice of private feeling I have given effect to my sense of public duty, and have left the friends I loved the best, and relinquished the office which it was my pride to hold, rather than partake in counsels which my conscience and my judgment could not approve.

I have seen Major Benson, and have heard from him with the warm interest of an old follower many particulars of your career in India, and many circumstances regarding yourself which I listened to with much delight.

It may be a satisfaction to you to know that the merits of your government are now fully appreciated here, and that the servants both of the King and of the Company are equally ready to admit the sound policy of your measures, and the exemplary fidelity of your economical administration.

I hope, also, you will allow that we have endeavoured to support your full authority, and that on the renewal of the Charter we have laid the foundations for the future good government of India.

I will not, however, open this chapter, but I hope we may live to meet again, and to discuss the part we took in different hemispheres for the promotion of the common object dear to us both, the honour and the interest of our native land.

My kind love to Lady William; and in every change of circumstance believe me that I never forget our early friendship, or the many obligations which I owe to you for lessons neglected at the time, but now constantly remembered with gratitude.

But of all Sir James Graham's expositions of his reasons for quitting the Government the most ample was communicated to an influential constituent in Cumberland. It shows in detail how inapplicable was a comment of Lord Anglesey's, 'Really, the Irish Church should not be left as it is.'



*To Mr. Francis Aglionby*

No one has been a warmer or more constant friend than I of religious liberty. I strenuously supported Emancipation of the Catholics; I voted for repeal of the Test and Corporation Acts; as a Minister of the Crown I advised the reduction of one-half the whole number of Irish bishops; I advised remission of Church Rate, taxation on a graduated scale of all benefices above £300 a year in Ireland, and suspension of the next presentation when Divine service had not been performed for three years prior to 1833. I am also a strenuous advocate for Church Reform in England, for the enforcement of residence, for the abolition of large pluralities, and for the augmentation of smaller livings by funds to be drawn from the wealthy Chapters. I earnestly desire also a general and compulsory Commutation of Tithe in England.

But having made these large concessions, and being desirous also to carry these further salutary reforms to their full extent, I am nevertheless a devoted friend to the Protestant religion, and to the Established Church.

I cannot favour in the least 'the Voluntary Principle' . . . and I cannot consent to the introduction of the doctrine of proportion, which would make the presence of a minister of the favoured religion of the State depend in each parish on some fixed ratio of the number of professors of the established creed to the aggregate number of the inhabitants. I consider the introduction of this principle as fatal to the existence of our parochial Church Establishment, which in my opinion is the best and purest part of our Church discipline. And when I reflect on the growth and boldness of Dissent, the avowed purpose of dissolving the connection between Church and State, the danger in my judgement inevitable to all our institutions if the Church be overthrown—when I reflect on these things, and know the course in which the Government is about to move, I cannot hesitate in rejoicing that I have determined to take no part in their counsels. As an honest man, entertaining these opinions, I was bound to make the sacrifice, to leave the

friends whom I love the best, and to abandon a position in the Government which left nothing to desire.

I know not whether my constituents will approve my conduct ; but, with my feelings and opinions I could not act otherwise ; I only hope that my motives, which are pure, will be appreciated ; and that those whose good opinion I value will be disposed to view with favour a decision which cost me the sacrifice of everything but my honour.

With many of the political connection that he was leaving Graham exchanged affectionate farewells.

*From Right Hon. C. Poulett Thomson*

May 31, 1834.

As we are now, I am afraid, no longer officially connected, I cannot do justice to my own feelings without expressing to you my deep regret.

As a member of the Government I lament, in common with all the party, that a difference of opinion upon a single point should have compelled your retirement from it ; but as my official superior in a particular department, most sincerely do I grieve for your loss.

That connection has naturally thrown us much together, and most sincerely can I say that from no one could I have received greater kindness. Of your conduct during the whole of our intercourse I shall ever retain the most grateful recollection. Our separation in public life will, I hope, be short ; in private I trust that the same friendship of which you have given me so many proofs, and which I so truly entertain for you, may continue undisturbed.

*From Lord Lyttelton*

ALTHORP, June 2, 1834.

Much as I regret upon public grounds your retirement from office, I must be allowed to congratulate you upon the very high character for ability and honour with which you have held and are now quitting it.

Pray believe that you carry with you into private life the truest affection and esteem of one of your earliest

friends, who has been most solicitous for your fair fame, and for the preservation in your breast of the high principles with which he knew that you entered into that trying course of public service. And let me add that I have had the great satisfaction to hear a far better judge than myself—I mean Lord Spencer—say that your conduct at the Admiralty had been excellent, and that it would be no easy matter to find a worthy successor to you.

As to the actual position of public affairs, I will just say that I feel much both for you and for Althorp at this crisis, and sincerely pray that no future occurrences may set you further asunder in public, or—which I should deprecate infinitely more—chill or contract the friendship that subsists between you.

Believe me, my dear Graham, your faithful and affectionate friend,

LYTTELTON.

*To Lord Lyttelton*

ADMIRALTY, June 3, 1834.

I am gratified by the kindness of your recollection of me at this painful moment ; and I receive as a great consolation the favourable opinion which Lord Spencer has expressed of my conduct at this Board. He knows the difficulties of this arduous station.

It is too painful—the wound is yet green—to enter on the causes which have led to a separation from the friends I loved the best and trusted most. But they are about to enter on a path where conscience, duty, and all the obligations I value most forbid me to follow them ; and though the wrench has been severe, yet I rejoice that I have ceased to be a party to measures which I cannot approve.

No time or circumstances can alter my affectionate regard for Althorp. He entertains many opinions which I regret, and he will give effect to them with a boldness which I consider dangerous. But I love the man, even when I most condemn his wayward errors, and if he will allow me still to partake of his private friendship, I shall be comforted in some degree for the melancholy conviction that as public men we shall act together no more.

God bless you, my dear friend. I write with a heavy heart, which nothing could gladden but the conviction that I have acted honestly on motives which I feel to be pure, and which will not lead me astray.

*From Lord Althorp*

June 5, 1834.

You have two measures before the House of the greatest importance, about which you have taken great pains, and which you understand better than any one else does or can understand—I mean the Bill for the Registry of Seamen and the one about the Tonnage of Vessels. If, therefore, you have no objection to it, I should be very glad if you would continue to manage them in the House; and I will of course do what I can to facilitate their progress.

*To Lord Holland*

ADMIRALTY, June 5, 1834.

On leaving office, where I have served so happily as a colleague with you, I am anxious as a mark of affectionate regard to do some one thing which may be agreeable to you.

I know an act of kindness to others is what gratifies you most, and I am aware of your anxiety for the promotion of Lord Clarence Paget. By vacancies I have been enabled to do this, and as my last act this day I have made him a Commander.

No time or circumstance can make me forget the kindness which I have constantly received from you, and the pleasure and advantage which I have enjoyed in your society.

*From Lord Holland*

Never was, my dear Graham, a kinder thing done in a more handsome manner. But no wonder you should do kind things, when you do even disagreeable and even lamentable things which you think necessary in a handsome manner too. I cannot forget your uniform kindness to me.

Ever yours affectionately,

VASSALL HOLLAND.

*From Lady Holland*

I cannot bear your 'parting company,' as you sailors say, from your colleagues without conveying a word of the heartfelt regret I feel at such a loss, for their sakes, and in a humbler way for my own.

I can never forget your kindness when Lord Holland was so ill. The impression is indelible.

Pray do not let this sad difference of opinion, which I hope is only on one point, estrange you from us, as that would be a cruel aggravation to the annoyance. So I hope you will come to see me sometimes.

Lord Anglesey, in thanking Sir James for the appointment of his son, Lord Clarence Paget, to a command, adds:

When I recollect that you have done this at a moment when I may, however innocently, in some measure have been the cause of accelerating your retirement from office, by the treacherous and unaccountable publication of some letters of mine upon the Church question, I feel more strongly the generosity of your conduct.

I very deeply regret that break-up. It must create great public embarrassment. I give you all the highest credit for the honour of your proceedings, but you must forgive me for saying that I entirely disapprove of your view of the question, and I dread the consequences of the course you have taken.

We are living in perilous times. I am the last man who would concede anything to clamour and violence, but I strongly see the necessity of going with the spirit of the age and even forestalling it; and really the Irish Church should not be left as it is.

It has been already observed that Sir James Graham had never intended to leave it unreformed.

*From Lord Palmerston*

June 3, 1834.

I congratulate you most sincerely upon the happy result of our joint labours on Portuguese affairs. But this increases, if possible, the regret that, having ploughed

and sown together, we should not also together sit down to the harvest home feast.

*To Earl Grey*

ADMIRALTY, June 5, 1834.

This probably is the last official communication I may ever make to you ; and, on retiring from the public service to which you introduced me, I may be permitted to assure you that to the last hour of my life I shall remember with gratitude the confidence which you reposed in me, the trust to which you raised me—may I not add the friendship with which you regarded me ?

I have endeavoured to prove that I was not altogether unworthy ; and though unhappy circumstances have arisen which in honour and duty compelled me to make the greatest sacrifice and to leave your Government, yet it would be a consolation to know that I have not forfeited your esteem, and that I may still hope to retain some portion of your regard.

Once again at parting let me repeat the assurance of my affectionate respect and gratitude.

*From Earl Grey*

DOWNING STREET, June 5, 1834.

MY DEAR GRAHAM,

I have received with corresponding feelings all the kindness expressed in your note of this morning.

It is only justice to say that nothing could be more satisfactory to me than the whole of our official connection. In your particular department I must always bear testimony to the zeal and ability with which you have conducted it.

But the loss I have experienced by your separation from the Government is much greater on private than on public grounds ; and I beg you to be assured that I shall never forget the many proofs of confidence and kindness which I have received from you ; and that I shall hope to retain the good opinion and friendship, which have been and are so valuable to me, in whatever situations we may be respectively placed.

Ever most sincerely yours,

GREY.

When bidding farewell to the Admiralty, Sir James Graham took pains to thank cordially those of its staff to whom he owed most. To Mr. (afterwards Sir John) Briggs he writes :

Do not forget that my fame is bound up in the success of your Department, and I have an interest deeper than I can describe in the system which I have laboured to establish.

To the Solicitor to the Admiralty Sir James expressed his obligations for indispensable assistance in drawing two Bills beyond the sphere of his proper duties—the one to remodel the Exchequer, ‘an intricate and difficult undertaking’; the other to amend the law which regulates the grant of ministerial pensions and super-annuations. In a grateful letter Mr. Jones replies :

I feel bound to declare that without the advantage which I had the good fortune to possess in your presiding judgement and decision my labours would have been but of small avail.

To Rear-Admiral Sir William Parker Sir James wrote endeavouring to avert any risk of his declining to join the Admiralty Board :

We are unknown to each other personally ; yet we have conducted through the means of most confidential intercourse very difficult affairs, and I may be permitted to congratulate you that they have been brought to a happy termination without the rupture of the general peace, and with the honour of England unstained.

The merit and the praise, in my humble judgement, are principally due to you ; and I cannot retire into private life without once again expressing those cordial thanks which I have so often officially conveyed to you.

I had hoped to have served with you as a colleague at this Board, and having lost the services of one of

Nelson's Captains, I looked forward with pleasure to the co-operation of the Captain of the *Amazon*. Events however, have frustrated these hopes.

I am hardly entitled to express a hope in such circumstances with respect to the course which you may pursue ; but my attachment to the interests of the Navy is so warm, and my reliance on your abilities is so great, that I must take the liberty of urging you not to withhold your assistance from the Board at this juncture, when it is about to lose the experience of Sir Thomas Hardy, and any aid which I might be able to give in the service of the Naval Department.

*From Rear-Admiral Sir William Parker*

IN THE TAGUS, June 20, 1834.

In your superabundant kindness I have found encouragement and confidence in deciding on every unforeseen case partaking of difficulty, and my instructions have invariably been so explicit that my course has been clear and comparatively easy.

Earl Grey's Government survived the secession of four of its most Conservative members for only six weeks. During that time it had to deal with two Irish questions, Church and Coercion.

For the Church early in June Althorp announced a Commission, and when Ward persisted in again moving for Appropriation, the Government proposed and carried by a large majority the previous question, Graham and Stanley voting with them.

To Stanley Graham writes :

Peel on a petition fired in, I am told, very sharply this morning, and showed some eagerness for attack. I doubt whether it is our policy to encourage this disposition. We are now sure of a violent measure next session, and the more quiet we can keep everything till then the better, provided the Church is on the alert.



In the same tone Stanley answers :

I even wish matters could rest as they are. You know how important it is that Grey should not be driven from the helm, and how little would drive him.

The next letter, however, shows in what close touch Graham and Stanley already were with Peel on the Church question :

*To Hon. E. G. Stanley*

HOUSE OF COMMONS, July 3, 1834.

I have just come from a meeting at Peel's. Littleton has given notice of two resolutions, the first authorising a grant for purposes specified in his new clauses, the second diverting the proceeds of the sale of perpetuities from the Church purposes specified in the Act to the repayment of the proposed advance.

Peel is of opinion, and I concur, that Littleton should be allowed to move his resolutions ; that you should then avail yourself of the opportunity, and give a connected view of the object of the measure, such as it was when we introduced it, and contrast it with its present avowed objects, from which we entirely dissent.

You should then, we think, take the point that redemption of tithe has been steadily kept in view as the final object of all your endeavours ; that this Bill as brought in by us accomplished that great object, reserving the question of appropriation ; that the Bill as now mutilated inverts all these principles. It pre-judges the question of appropriation in the most spoliative sense, since it not only takes a slice of the Church property and gives it to the landlord, but it actually takes from the Church what last year was on deliberation awarded to her, in part compensation for Church rate, of which she was deprived.

Peel advises that we should fight strenuously for the Bill in its original shape, and put the Government on the defensive, to establish their reasons for a change of purpose, and to avow the extent and nature of that change.

He would have you announce that you would first

take the sense of the House on the question of redemption, the primary object recognised by the House on the second reading. . . . You might also open an intention to resist any payment out of the Consolidated Fund into the pockets of the Irish landlords.

I think I have now given you the substance of our conversation, and I have furnished the materials for consideration on your speech as you journey up outside the coach.

Peel was very easy in his manner with me, quite communicative, and most anxious to impress me with the conviction that he desired to act on this occasion in the strictest union with you.

He tells me that Ellice boasts that this is his edition of the Bill, and that it is only now the country can judge how the new Cabinet will deal with the Irish Church.

I had a conversation with Lord Grey yesterday. . . . It is clear that he has carried the Coercion Bill by force against the majority of his Cabinet.

Of this Coercion Bill the story is a strange one. It was founded on the Lord Lieutenant's advice. But only eight days before the Bill was introduced Lord Grey had communicated to the Cabinet a strictly private letter from Lord Wellesley, to the effect that he now thought certain clauses prohibiting public meetings might safely be omitted. On this Lord Brougham remarks :

The letter which Littleton had written to Lord Wellesley, and which had produced Lord Wellesley's letter to Grey, was concocted, as Grey entirely believed, by Edward Ellice. In referring to this painful subject, Grey exclaimed to me, ' But to think of Ellice, mine own familiar friend who did eat of my bread—to think of him of all men thus conspiring against me.'

Such is Lord Brougham's account in his *Autobiography*, begun, he reminds his readers, after eighty-three years of age, with enfeebled intellect, failing memory, and but slight materials to assist it.

Making all allowance for such causes of inaccuracy, it is yet startling to find in Lord Hatherton's *Memoir* that, if any one by writing to Ireland had 'conspired' against Grey, it was not Ellice, but Brougham.

The final crisis arose from an indiscretion of Littleton, who assured O'Connell in confidence that the clauses in question would be dropped. Lord Grey refused to drop them, and thereupon O'Connell attacked Littleton in the House for breach of faith. Littleton resigned, Althorp, who had authorised him to speak to O'Connell, resigned, and Grey resigned, advising the King to send for Melbourne. Melbourne formed a new Whig Government, Althorp, at Lord Grey's request, joined Melbourne, and under them the session was brought to an end.

The new Government seemed very unstable, and some account of expectations during the recess will be found in the following correspondence.

*To Hon. E. G. Stanley*

*Private.*

GROSVENOR PLACE, *September 26, 1834.*

I have dined once at Holland House, and once with Palmerston. We talked very freely of foreign affairs, and with little reserve also of matters nearer home.

The Cabinet meets on the 12th of October, and I discover plainly that great differences of opinion are apprehended; that the hostility of Lord Grey is anticipated; and that the conduct of the Lord Chancellor (which Lord Grey will never pardon) alarms those friends in the Cabinet with whose opinions we are most allied.

At Palmerston's I met Melbourne, and nothing could exceed the frankness and kindly confidence of our intercourse. I remained with him and Palmerston for an hour after the rest of the company had gone, and we talked of every subject, Ireland included, with all the intimacy of former days. From Melbourne's tone and manner

I infer that he wished to mark an earnest desire we should continue friends, and he spoke of you and Richmond exactly in the same way. When I remarked to him that Lord Grey's Government had been overthrown by the insubordination of subalterns, and by the imperfect control which the Prime Minister had exercised over his colleagues—and added, 'Now the Cabinet is united, I hope you will maintain better order'—in a significant manner he let me know that he was not so sure of the union, but that he was determined to be master.

I said that in Ireland it was clear there was now no middle party; that it must be governed either by Catholics or Protestants; and if Ministers adopted Catholic measures, they must use Catholic instruments; then why reject O'Connell, the sharpest and the best?

Melbourne answered that this country would not stand Catholic measures, and with respect to O'Connell he evaded the question, and turned aside to the discussion whether when we first came into office we could with safety have given him the Common Pleas. Melbourne expressed an opinion that the step at that time would have overthrown us. He said this so decidedly as to leave on my mind the impression that he would not touch him now.

On the whole Melbourne, without saying it, left this strong impression on my mind, that he wished to convey—'Let us continue friends. You and those with whom you act differ less from me than many of those with whom I am now associated. I may have to fall back on you; do not be impatient.'

If the King and Melbourne understand each other, this is very much in accordance with what you reported to me on the day we resigned, after leaving St. James's.

I have also seen George Dawson. . . . He assured me that Peel was quite ready to enter on government with the view of meeting the just expectations of a Reformed Parliament, removing every abuse, and rectifying every imperfection, both in Church and State, to the utmost extent consistent with the maintenance and safety of the institutions themselves.

*From Hon. E. G. Stanley*

LATHOM HOUSE, *September 30, 1834.*

I cannot make out the conduct of the Government with regard to Ireland. They truckle to and court O'Connell, and do not appear to have made the smallest progress towards gaining him. On the contrary he seems to repay them with increased insult for every act of submission.

From your account of Melbourne's tone and manner, I have little doubt that he apprehends difficulties and differences in his Cabinet, and would be very glad to have other friends to fall back upon in case of need.

*To Hon. E. G. Stanley*

*Private and Confidential.*

*October 21, 1834.*

I passed a week at Goodwood, and met Althorp. At first he was ill at his ease and in very low spirits. But when he saw that we carefully avoided every subject that might betray him, he brightened up, and we enjoyed together an excellent day's sport, when he and I killed ten brace of pheasants and twenty-two brace of partridges, and were too busy and too happy to think of political differences.

There has been row major between the Government and the East India Company, as to the choice of a successor to Lord William Bentinck. Grant wished to go; the Company would not hear of him. Auckland they would have taken, but he, having received his pension of £2,000 a year for life, refused to go. Palmerston was then talked of, and the Company manifested reluctance, though in the end I think they will take him, if Lord Minto refuse the appointment. My name, however, was mentioned by the Directors, with an intimation that they were unanimous in wishing for me.

Brougham, just as he was getting into his carriage to go away, asked Richmond to 'sound' me whether I would accept. Richmond said that he and I did not communicate by soundings, but if he wished it he would ask me the question. Brougham said, 'By all means.'

I settled with Richmond that unless some further application were made to him he should take no further notice of the conversation, but if Brougham made any inquiry he should answer that I could only entertain such a proposition when made to me by the head of the Government.

My belief is that Melbourne would be sorry so to weaken that band of former friends from whom in his extremity he still looks for support.

The rest of the letter relates to the burning of the Houses of Parliament, and to a question incidentally thereby raised, whether representative government can safely be conducted in presence of crowds of the electors.

I sincerely regret with you the destruction of the two Houses. It must be a cold heart indeed that was inaccessible to the *religio loci*; and the aid of every elevating sentiment is useful which exalts the mind and raises the feeling above the influence of paltry passing objects of the moment, which are so apt to engross our passions and our care.

But a great question is brought unexpectedly to issue. The Radicals have long pressed for a new House, in the certain hope, if the site could be changed, of getting 'a spacious gallery.' This object has hitherto been defeated by indirect means—by the argument of unnecessary expense, and of veneration for the walls within which for centuries the greatest measures have been carried by the greatest men for the benefit of mankind. But in one night all these arguments have been swept away, and in a new House of Commons you must either provide a small gallery, avowing that your debates shall not be over-awed, or make preparations for a *vulgi corona*.

Sir James Graham's anxiety on this point may seem needless. But, perhaps prudently, the experiment has not been tried. Both Houses were rebuilt with little accommodation for strangers, and the practice still is

to address nominally the Speaker, really brother members, not all and sundry within hearing.<sup>1</sup>

As regards the buildings Sir James adds :

You ask as to the extent of loss sustained. All the records, all the books of the libraries of both Houses have been saved ; but the Houses themselves, half the Speaker's House, all the Committee-rooms of the Commons, the Painted Chamber, the Long Gallery, Lee's house, and all the buildings attached to the House of Lords which face to Palace Yard, are one heap of ruins.

Saint Stephen's Chapel is most beautiful. Its exact and fair proportions are now visible, the fan walls and all the arches are standing, with the most exquisite tracery in stone. This is as fresh as possible, having been preserved for ages by the more modern plaster over it, which though it disfigured, yet saved it ; and the old chapel now stands alone entire, laughing, as it were, to scorn the ruined works of all the modern architects.

A few weeks later the death of Earl Spencer, and consequent removal of Lord Althorp from the Commons, brought Lord Melbourne's first Administration suddenly to an end.

Melbourne had written to the King, reminding him that the Government was mainly founded upon the personal weight and influence of Althorp, the foundation was now withdrawn, and in these altered circumstances it was for His Majesty to consider what course to adopt.

This letter, and a conversation, almost invited<sup>2</sup> the reply which the Prime Minister received.

<sup>1</sup> A member of Congress once remarked to me that in the House of Commons two things most surprised him—members addressing only one another, not the galleries, and their wearing hats. In his country neither would be allowed.

<sup>2</sup> 'The King did what his minister invited him to do.'—*Life of Lord Melbourne*. By H. Dunckley.

The King could not look with confidence to a leader of the House of Commons pledged to extensive reforms in the Irish Church which His Majesty was determined to resist, and he could not help considering Lord John Russell to be otherwise unequal to the task.

At any rate—whether Melbourne prompted it, or not—the Whigs found themselves, as the King phrased it, 'removed from his councils.'

Brougham, hearing of this at midnight confidentially from Melbourne, appears to have sent the tidings straight to Mr. Barnes. Other Cabinet Ministers learned their fate next morning when they read *The Times*.

Meanwhile Melbourne had acted as King's messenger to summon Wellington; and Wellington, quietly accepting official responsibility for the King's hasty action, and taking over temporary charge of all business of the State, dispatched a courier to Rome to summon Peel.

A few letters will show how the change of Ministry was regarded by Graham.

*To Lord Stanley*

BOODLE's, *November 10, six o'clock.*

A letter arrived in town about three hours ago announcing that Lord Spencer was senseless, and could not survive the night. This looks like a *coup de grâce*.

RANTON ABBEY, [*Lord Lichfield's*] *November 18.*

The Duke [of Richmond] and I propose to leave this place early on Thursday, to breakfast at Trentham, [the Duke of Sutherland's] and to dine with you at Knowsley. We are both very anxious to see you.

Affairs have taken a sudden, I hope not a dangerous, turn. It will be melancholy indeed if, after waiting so long, His Majesty should have made his rush at the wrong moment.

I think, also, he has put up the wrong man [Wellington]



to ride this second heat. Bob [Peel] was the lad who had the best chance of winning.

As we shall meet so soon, no more of this. We have shot four stags, and have killed thirteen hundred head, five hundred and fifty of which are pheasants. I never saw such splendid sport.

TRENTHAM, *Friday morning* [November 21].

The feeling here is strong against a Wellington Government, and very decided in favour of you, and of an Administration framed on liberal Reform principles, opposed to Destructive.

A good deal was said about the advantages of your position, your power of forming a Government, etc., and of the support which you would receive; when Richmond shrewdly remarked, 'Then why do not his friends and supporters declare themselves? If he is to have a party, the sooner it is formed the better—at least, if it is hoped that he can do any good at the head of it.' This shot evidently told.

Lord Carlisle, I think, leans decidedly to us, and says all this naturally followed from our expulsion from Lord Grey's Cabinet.

If there be any truth in the report of the King's regrets, that renders it more important than ever that our refusal [to take office, if invited] should rest on objections to the persons whom it is proposed we should join. That would naturally lead His Majesty to admit whom he as well as we may desire, and to exclude those whom we could consider obnoxious. This would lead to Peel's joining us, not us him.

At Knowsley Stanley, Graham, and Richmond met, and agreed to decline any invitation from Peel.

A fortnight later Lord Stanley writes:

KNOWSLEY, *December 5, 1834.*

It is quite clear that when Peel returns there will be a battery opened upon us. But I am the more satisfied the more I reflect on it that we have judged well and wisely in declining a junction.

If Peel can be induced to go on, and we support him out of office on condition of his carrying certain measures which we deem essential, we shall not only have the satisfaction of knowing that we have virtually been the people to carry them, but those who will be compelled to acquiesce in and perhaps promote them will make no secret of their being compelled to them by us, and we shall thus gain the credit with the public, and strengthen our own party.

## CHAPTER X

1834-35

Peel takes Office—Overtures to Stanley and Graham—Concerted Refusal—General Election—Measures and Men—Offer of Vice-royalty of India—‘Cabinet’ at Goodwood—Forming a ‘Third Party’—‘Alliance’ of Whigs with O’Connell—Attack on the Irish Church—Defence—A Mother’s Approval—Peel’s Defeat and Resignation.

SIR ROBERT PEEL, when the Royal summons reached him, lost no time. Receiving the letters in Rome at midnight, he answered them before he slept, set out next day for England, and travelling eight nights out of fourteen, reached London early on December 9. His first act was to see the King, and accept office, his second to address Lord Stanley and Sir James Graham, entreating them to join his Cabinet. Lord Stanley, on the lines laid down at Knowsley, wrote a polite refusal. Sir James took a slightly different course, described in letters to Stanley, Ripon, and Richmond.

### *To Lord Stanley*

GROSVENOR PLACE [*Saturday*], December 13, 1834.

I received the enclosed from Peel on Thursday night at Arthuret.

Doubtful whether you would go to London, or administer the written answer on which we had agreed, and dreading to fall into the absurdity of sending a letter in terms almost identical with yours without the possibility of communicating on the precise tenor of Peel’s different letters separately to us, I determined to come up to town

with the messenger. I arrived here this morning, saw Peel, and remained with him for an hour.

I began by stating that I had ascertained you had not come to London, and that since his offer was made we had not communicated. I told him, however, that you and I had fully and anxiously deliberated on the answer to be returned to such a proposal if it were made ; that our preliminary objections to its acceptance were insuperable ; and that the reasons, in which we entirely concurred, had been committed to writing, and were probably embodied in your reply. He then produced his two letters to you, and your answer.

I told him I adopted all your reasoning, which to my judgment was conclusive, and concurred in your decision. I proceeded to urge the principal arguments, more especially the one that if his measures were good our support out of office would be more effectual, whereas our junction with him would render us powerless, and his opponents united and uncompromising.

He said he would never have accepted the commission to form a Government if he had not been at full liberty to make the offer to you and to me ; that it was made in perfect sincerity ; that except the places which he had specified he had kept all others open for the most free and friendly negotiation with us ; that he had not applied personally to the Duke of Richmond and to Ripon lest he might appear to endeavour to detach them from you, whereas, from my being long known to him, and in the House of Commons, he considered my position somewhat different ; and he added that, though his regret was deep and sincere, he respected the motives of our refusal.

On the whole, I should say he was convinced of the soundness of the views which we had opened to him, and highly flattered and conciliated by your readiness to serve under him.

I have not been in bed since Wednesday night ; but I intend to leave London by the Glasgow mail to-morrow evening, and to meet you at dinner at Hamilton Palace on Tuesday. I have much more to tell you, which I cannot write.

On the whole I am glad I came ; though my conduct will be misinterpreted ; and it is unfortunate that I

should have apparently taken a different course from you. But our motives and feelings are the same.

The written answer agreed on appears to have been drafted by Graham, after the conference at Knowsley.

*From Lord Stanley*

KNOWSLEY, *November 25, 1834.*

I send you a copy of the former part of your paper, with some alterations; in the remainder I see little to alter. . . . You will, of course, show Richmond the alterations I have suggested, which I think will meet his view of softening the refusal to Peel, and throwing it more upon his crew.

*From Lord Ripon*

BRIGHTON, *December 14, 1834.*

I am glad you went to town, and had an opportunity of learning from Peel's own mouth something of his views and feelings, without in any degree committing either Stanley or yourself or any of us; whereas if Stanley had gone up, his final declining might have had the appearance, or at least have created the suspicion, of going off upon some question of terms and arrangements and not upon principle, which would, upon every account, have been most undesirable. I am satisfied that all stands better in its present form.

They feel the necessity of not standing still, and you will see, I am sure, that they will adopt in substance our Irish Tithe Bill, our English Tithe Bill, and our Church Rate Bill.

*To the Duke of Richmond*

*December 13, 1834.*

I came to London this morning and saw Peel. I have refused verbally, urging all the arguments which Stanley has given in writing, pretty nearly in the terms we agreed to at Knowsley.

Sir Robert Peel records the interview thus in his *Memoir*:

Sir James Graham came up to town from Netherby, as he said, out of personal esteem for me and respect for the communication which I had been authorised by the King to make to him ; and, although he declined office, assured me of his warm personal regard, and general desire to give me all the support he could, consistently with his own principles and avowed opinions.

The refusal of Stanley and Graham to join Peel's Government threw him back on his old Tory colleagues. It created also for a time in Parliament a 'Third Party,' holding 'Cabinets' to concert their line of action, and commanding some appreciable support. Its chief members were in the Commons Stanley and Graham, in the Lords Richmond and Ripon.

*From the Duke of Richmond*

GOODWOOD, *December 21, 1834.*

Ripon and Melbourne are here ; the latter very moderate, and speaks out. He never will serve with Brougham.

*From Lord Ripon*

GOODWOOD, *December 19, 1834.*

You will see that my brother [Earl De Grey], having declined Ireland, has been permitted to take the Admiralty. It is needless for me to say that this appointment can make no difference whatever in my course. It is upon every account most gratifying to me to feel that my views of public affairs are so entirely conformable to those of Stanley, Richmond, and yourself, and that I am acting with men upon whose honour, character, and judgment I entirely rely.

*To Lord Ripon*

*December 23, 1834.*

I am glad to hear that my old friend Lord De Grey has accepted the Admiralty. In many respects he is well suited for the office. He loves the profession over

which he now presides, and his high honour and strict impartial justice, together with his frank and manly bearing, will secure for him the affection and confidence of the officers.

With the exception of Sir George Cockburn, the Board is very deficient in experience ; but so far as I am concerned, I shall not be indisposed to give them every assistance in my power on naval subjects, if they think that assistance worth having ; and unless they begin by upsetting all that I have laboured to effect.

I am delighted by the decision which you announced of your intention to continue to act with Stanley, Richmond, and me. You might, in present circumstances, have come to an opposite decision with perfect honour, and in strict accordance with strong and natural feelings. But from the present aspect of affairs, believing as I do that Peel will honestly endeavour to give effect to his declarations, I do not anticipate that with us you will find it necessary to separate much from your brother's policy ; and my opinion is, that in their utmost need they must look for support to that Third Party of which we shall form the centre.

Having now acted with you for some years, I can truly say that I never had a friend whom I valued more sincerely than you, or whose approbation and co-operation was more satisfactory, because I know that you will never consent to any course which your conscience does not approve, and that conscience is regulated by the purest principles and the highest motives.

The Dissolution, to which Sir Robert Peel—being naturally in a small minority in the First Reformed Parliament—almost of necessity had recourse, reinforced his supporters by about one hundred, and reduced to the same extent the number of his opponents. But even so, there remained a large hostile majority.

Sir James Graham was re-elected for Cumberland for the fourth time unopposed, owing to his having refused the offer from Peel.

*To Mr. Howard of Greystoke*

December 13, 1834.

I have seen Sir Robert Peel, and have declined the acceptance of a seat in his Cabinet.

I hope the electors of East Cumberland will give me credit for not being the shabby fellow they seem willing to suspect me.

I shall vote steadily for all reforms which I consider necessary and safe, and resist all changes which are urged in a restless spirit of innovation, and in some quarters from a desire to overthrow under the mask of improving.

I hope and believe these sentiments are yours, and that if I have not forfeited your good opinion, you will continue to me your powerful and valued support.

*To Lord Carlisle*

NETHERBY, December 23, 1834.

At the present critical juncture I did not think it fair to ask for your support, until you had a full opportunity of seeing my conduct on the formation of Sir Robert Peel's Government, and of knowing the general outline of my views in the present position of affairs.

My refusal to join the new Administration, and my address to my constituents, combined with your intimate knowledge of all my motives and of all my proceedings during the time I had the happiness of being your colleague, will enable you now to judge whether you still think me worthy of representing in Parliament the division of a county in which you have so preponderating an interest.

I am not conscious of one single act which merits the forfeiture of your good opinion, and although on one particular point we may differ, yet I am persuaded our real objects are the same, and our ruling principles identical. I appeal, therefore, to your friendship with confidence, and I ask the favour of your support.

*From Lord Carlisle*

CASTLE HOWARD, December 24, 1834.

I feel very great satisfaction in acceding to your request; the support that I may be able to give will be at your service.



I will frankly tell you that if your course had been different, and you had joined the present Government, I should have felt considerable embarrassment, for it would have been painful to me to have withheld assistance from you, even upon political grounds. I should have felt that our friendly connection and that of our families had not been of recent date.

But I am happily relieved from such embarrassment by your address to the electors, of which I much approved. I will not enter upon the debatable ground of the Irish Church.

*To E. Hornby, Esq.*

*December 23, 1834.*

I am infinitely obliged to you for your letter, not only as a testimony of your valued approval of the line which we have taken in trying circumstances, but as indisputable evidence of our fixed determination to refuse Peel's offer, on public grounds, at a time when we could not generally announce that decision, and when our real intentions were subject to suspicion.

Nothing can have been more effective than Stanley's speech at Glasgow, and the declaration of our policy, as announced there, and in my address. The difficulties in the county have almost vanished before it, and I do not anticipate a contest, certainly no formidable struggle.

The Duke of Hamilton was delighted with our visit, and he and the best part of the Whigs of Scotland will, I am sure, be anxious to join a Third Party occupying the middle ground between the Radicals and ultra Tories. But after Peel's declaration [at Tamworth], if it speak the present sentiments of the Tories, it is hard to say where an old Tory is to be found.

Peel's policy, now that he was head of a Government, was what Stanley and Graham, as Conservative Whigs, approved. But not so his choice of colleagues. After the refusal of office by Stanley and Graham, for themselves, and for others, such as Ripon and Richmond,

whom they might have brought in with them, it is reported that 'Peel twice over said, with a querulous tone, that it would be only the Duke's old Cabinet.'<sup>1</sup>

That was in fact their doing more than Peel's. Graham admits this by describing the Cabinet as 'the materials to which Sir Robert Peel has been driven to resort by our refusal.' Ripon suggests that Peel might have kept his Cabinet smaller. Stanley names four to whom he objects.

*From Lord Ripon*

Peel's great fault in constructing his Cabinet has been to make it so large. If he had started upon a more limited scale, he would have had no difficulty in keeping out its deformities.

*From Lord Stanley*

KNOWSLEY, December 29, 1834.

Peel is throwing away his chances by such appointments as Roden, Stormont, Lincoln, and Charles Ross, and telling us that we must look to men, and not to measures. He cuts our ground of support from under our feet.

*To Lord Stanley*

ARTHURET, January 1, 1835.

I entirely agree with you in opinion regarding Peel's speech at the Mansion House. No doubt it is embarrassing to us; for we shall be asked, 'Will you oppose Sir Robert Peel's Government? He himself has said he asks support only from those who confide in the men composing his Administration; do you place confidence in a Government so composed?' The answer to these questions is not easy.

I shall be disposed to say that I was not anxious to scrutinise the materials to which Sir Robert Peel had been driven to resort by our refusal to join him, but I must altogether repudiate in present circumstances

<sup>1</sup> *Croker Papers*, ii. 249.

his doctrine of 'men and not measures'; since if I adopted it I should be compelled to enter on a most decided and uncompromising opposition to his Government, which my want of confidence in his predecessors renders inexpedient; my doctrine, therefore, for the present must be 'measures, not men,' and—regarding the composition of Peel's Government with great distrust—I can only support him when I entirely approve his policy; on the other hand, I can never give a doubtful vote in his favour from any reliance on the general character of the Ministers.

Richmond has summoned us to a Cabinet at Goodwood, before the meeting of Parliament. I hope you will so arrange your movements as to be present, for in the very difficult position of affairs caution and best management are necessary.

Lord Carlisle cordially supports me, and I have no fears whatever for my seat.

What is your entry for the St. Leger, and how did the Verbena trial come off? I hope no more of the mares have foaled before yesterday.

Lord Stanley answers :

I shall make a point of attending the Goodwood Cabinet.

To a leading supporter in Cumberland, Mr. Howard of Greystoke, Sir James sets forth as frankly as to Lord Stanley his distrust of Peel's Cabinet, his faith in Peel's own liberal intentions, and his decision to make no terms with any Government subservient to Radical dictation.

ARTHURET, *January 2, 1835.*

If I were to look only at the composition of Sir Robert Peel's Government, I should not hesitate to condemn it, and I can repose no confidence in the men generally who form it. But from the force of circumstances, I feel persuaded that Sir Robert's measures will be good, and the consistency of those colleagues who adopt them is their own affair. It will be my duty to watch narrowly

their conduct, to urge them if they hang back, to assist them when their course is direct and honest ; but that to which I am most decidedly opposed is a Government formed on Radical and destructive principles.

While his re-election was pending, Sir James Graham again received, and again declined, an invitation to become Governor-General of India. The overture this time originated with the Court of Directors. Impressed by his reputation for statesmanlike ability and acknowledged efficiency in administration, they took steps to ascertain that the necessary concurrence in the appointment would not be wanting on the part of Sir Robert Peel and his colleagues. But, having declined to share their responsibilities at home, Sir James felt that he could not forthwith accept practically at their hands high and well-paid office abroad.

*From Mr. [afterwards Sir John] Barrow*

ADMIRALTY, [Sunday] January 4, 1835.

I know not whether you may or may not at any time have aspired to the throne of the Great Mogul. But I think it is as well that I should mention to you a conversation that was volunteered on the part of a friend of mine—not actually in, but very near to, the Chair of the Court of Directors.

He began by saying, ‘I have heard you more than once observe that you never met with a more apt and ready man of business than Sir James Graham.’ On my assenting to this, he asked, ‘Do you think he would like to go as Governor-General to India?’ ‘I really do not know.’ ‘The reason for my asking is, that there is a great inclination on the part of the Directors to nominate such a man as Sir James Graham—indeed to nominate him ; and I have just come from Lord Ellenborough, and had some general conversation with him on the subject, and mentioned the general opinion, as well as your own, of the great ability and habit of business of Sir James Graham, trying to sound him as to

the feeling of the Government, provided the Court should prevail on him to be put in nomination. The reply of Lord Ellenborough was, that it was quite impossible for him to answer that question, but as Sir James had declined one offer made to him, he did not think a second would be made, unless they were sure of his acceptance of it.'

This is, as nearly as I can recollect, the conversation that passed. . . . For my own part, I would much rather see you here.

*To Mr. Barrow*

NETHERBY, *January 10, 1835.*

It is impossible that I should not feel honoured and gratified by the high trust which the East India Directors are willing to confide to me.

In any circumstances my decision on the offer, if it were made directly and in due form, would involve the most serious and difficult considerations both of a public and private nature. But at the present time, and in the present state of affairs, I am relieved from the necessity of any such deliberation ; for, having refused the acceptance of office at home under Sir Robert Peel, with all its attendant risks and heavy responsibilities at this critical juncture, I should be exposed to the just suspicion of unworthy motives if, under this same Government, and with no change of circumstances, I consented to receive a most lucrative appointment, which would remove me from the scene of the impending struggle, and secure my own interests by the favour of a Minister whose fortunes I was unwilling to share.

Sense of honour admits of no doubt in this case ; and, with the most sincere sentiments of gratitude and respect towards the Directors, I must at the present moment renounce the acceptance of the appointment, even if it were offered to me with the full concurrence both of the Ministers and the Court of Directors.

*From Mr. Barrow*

*January 13, 1835.*

My friend the Deputy Chairman at once saw the force

of your arguments, and the propriety of your decision, which he said they should all deeply lament. He then told me that Lord Ellenborough had consulted Sir Robert Peel and the Duke of Wellington, whether they would be willing to concur in the appointment. The answer was, 'Yes, provided it be distinctly understood that it will be accepted.'

All this must be highly gratifying to you, and I heartily rejoice at it, though individually I am more rejoiced at your decision, in the hope of seeing you in a situation at home where your services may be of more importance even than in India.

*To Mr. Barrow*

ARTHURET, *January 15, 1835.*

I am anxious to obtain from you one favour more. Since my name has been mentioned to Sir Robert Peel and the Duke of Wellington, who were prepared generously to waive every personal objection, you should take care to let them know precisely the motives and the reasons which influenced my decision, as announced in my letter to you.

I consider the offer as not having been made, but I am very sensible of the high honour conferred on me by the disposition not to withhold confidence on the part of persons on whose indulgence I had no claim.

*From Lord Stanley*

I return you the correspondence with Barrow, which must be, as it ought to be, most gratifying to you. I am, however, truly rejoiced on all accounts, private as well as public, that you returned the answer you did. I think, indeed, you could hardly have returned any other; but you have the advantage of the offer having been in substance, if not in form, made and declined.

*To Lord Stanley*

*Private.*

ARTHURET, *January 12, 1835.*

My election is just over, and I am returned almost without a dissentient voice, in an audience of some

thousands, after a full profession of faith founded on the Knowsley creed, and after an ample discussion of the Irish Church question.

I stated that, being unable to repose confidence in Lord Melbourne's Administration, I could not consent to displace Sir Robert Peel's, until I gave him an opportunity of bringing forward his measures; that I placed no confidence whatever in the men forming his Government, but in the present circumstances I must look to principles and not to persons.

This declaration was perfectly received, and when I opened my budget of reforms, both of Church and Corporations, I hear the yeomanry declared in private that they asked no more. On the whole, the day was most triumphant and highly satisfactory.

I long to have an account of your proceedings at Lancaster. And send me also a summary of the reasons which His Majesty assigns for dismissing Melbourne. I still fear that measure will turn out to have been rash, ill-timed, and ill-advised.

*From Lord Stanley*

KNOWSLEY, *January 16, 1835.*

I congratulate you on your prosperous termination of the Cumberland elections.

Our speeches were likely to be the same in tone and substance, as our views were precisely similar, and it is satisfactory to see that two counties adopt our reasoning and approve our course.

There is no fear of the Government being too strong. My fear is that with our utmost support, given whenever we can, they will not be able to weather the storm.

I shall rely on meeting you at Goodwood, where we shall have much to discuss, not only as to our own plan of campaign, but as to the persons whom we should call into our councils.

In his hustings speech (Jan. 12) Sir James had replied to several anonymous attacks made on him in the newspapers :

It has been said that I was introduced into the Cabinet

under the patronage of Lord Durham. That is not true. I have never had a patron, for I have never been a client. I have had the honour of the acquaintance—the intimate acquaintance—of Lord Durham; but it was on terms of the most perfect equality.

When Lord Grey called upon me to become a member of the Ministry which he had been directed by the Sovereign to form . . . he was pleased to say that, considering my station as the representative of an independent county, and my position in Parliament, it would be of advantage to the country if I would enter into the service of His Majesty.

I replied that, 'if my services could be of any benefit to the country, I would leave my appointment to his discretion'; but I asked no office, I made no stipulation. Unasked by me, Lord Grey placed under my direction one of the highest and most important offices in the Empire.

You may imagine how much I felt in separating from the Cabinet of Earl Grey. There never has been in this country a Cabinet more united upon all questions, in which more mutual confidence existed. . . . There was but one fatal subject of difference, and that was the Irish Church.

I cannot reconcile it with my sense of duty to agree to the alienation to secular objects of any portion of the property devoted to religious uses. I have cordially supported the claims of Catholics to equality of civil rights; but when they demanded the subversion of the institutions whereby the national religion is maintained, I felt that I had no choice but to refuse such a concession. I regard the preservation of a National Church as essential to that of limited monarchy and of well-ordered liberty.

Another calumny has been put forth—that I left the Cabinet under the guidance of Lord Stanley. A single fact is worth a thousand anonymous assertions, and I will state a fact. When the conduct of Baron Smith was brought before Parliament by Mr. O'Connell, the Cabinet agreed to oppose the motion. But when Ministers came down to the House, by some slight alteration in its wording they were induced to turn round and support it. In the number was Lord Stanley. I



alone of the Cabinet spoke and voted against the motion, and next morning I tendered my resignation to Lord Grey. In that I stood alone; I alone would have left the Cabinet, without Lord Stanley. Eventually the Ministry all came round to my view, and were obliged to negative what they had supported.

Of this part of his speech, as reported by a hostile newspaper, Sir James thought it well to send some explanation to Lord Stanley, who accepted it with good-humour. Graham writes :

ARTHURET, *January 18, 1835.*

At Carlisle the impression was strong that I had been unduly influenced by you to leave Lord Grey's Government, and the calumny originated in Brougham's article in *The Edinburgh Review* of last July. It was necessary that I should rebut the accusation; and the different lines adopted by us in Baron Smith's case afforded me a triumphant answer. I availed myself of the advantage, but I need not say in terms of kindness and friendship towards you.

I am anxious you should know this, for that vote was the most painful one I ever gave, because it was in opposition to you, and arose from the impossibility of our communicating in the course of the debate, and I never can refer to it without a lively recollection of the pain of the only difference that ever arose between us.

I am satisfied with the state of the returns. The Ministry will be weak, and you will be strong. They must lean on you, and stand or fall at your pleasure. But together we shall be able to battle the Destructives.

*January 20.*—I have received the enclosed from Denison,<sup>1</sup> and I send a copy of my answer. It is clear that you must begin to make your arrangements for mustering your troops, now you have hoisted your standard.

*From Lord Stanley*

KNOWSLEY, *January 21, 1835.*

It is clear that I am not a popular character on a

<sup>1</sup> J. Evelyn Denison, afterwards Speaker and Viscount Ossington.

Cumberland hustings, and that you have to deal with a much more Radical constituency than I have.

Thanks for Denison's letter. I had one from him also, which I have answered much in the same sense as you have, saying that I thought the time was come when a third party was desirable for the country, and what were the reasons which made it so ; begging to communicate with him freely when I came to London, and adding that I should be glad to receive from him the names of any for whom he was authorised or able to answer as being willing to join and act avowedly with us.

*To Lord Stanley*

*January 23, 1835.*

You must begin to make a list of your adherents, for I hope you will make up your mind to assemble them before the opening of the session, and after our meeting at Goodwood, where we must carefully arrange and consider our plans, and it will be necessary that they should have timely notice of the day and place.

If Manners Sutton be proposed by the Government [as Speaker] we must support him in opposition to any other candidate. The attempt to reject him is the first factious effort to expel Peel from power without a trial, and to express a decided opinion against the dismissal of Melbourne. In neither of these views am I prepared to concur, and though Manners Sutton may not have acted wisely in attending councils during 'the protectorate,' and in advising the King to act with precipitation and to dismiss Melbourne, yet the support of him can be justified on grounds so strong and tenable that I should not be disposed to give to the common enemy the triumph of his disgrace.

My name, I see, has been mentioned for the Chair in *The Morning Chronicle*. It is a situation which I consider very honourable, if obtained without intrigue or effort of party.

*From Lord Stanley*

*KNOWSLEY, January 30, 1835.*

I shall, of course, be very glad, when we meet at Goodwood, to discuss with you the propriety of calling a

meeting of our friends ; but my present impression is rather against it. I fear our numbers are so small that a formal meeting would only indicate our weakness, and, indeed, give an undue impression of it.

I would rather proceed more cautiously, leaving it to be distinctly understood that we are prepared to receive adhesions, and affording every encouragement to those who may be disposed to join.

A short time, and a close observation of the first few votes given, will enable us to judge far better what our strength is likely to be, and in what quarters it may be looked for. In the present dislocation of parties, we may meet it where we little expect it, and may be disappointed where we do ; and summoning a meeting in the dark as to the views of parties we should affront many whom we did not invite, and perhaps many also whom we did.

Besides, I think there would be some appearance of presumption in *assuming* the lead of a party without some sort of move made by the party itself.

As to your being put in nomination [for the Chair] I cannot hear of it. We must have you in a much more prominent and important position than that of Speaker. Come what may, your post must be *ἐν προμάχοις*,<sup>1</sup> not judge of the lists.

I had a letter from Lansdowne, expressing on political matters generally an ardent desire that we should be brought together again. With time and management this may be ; unless Melbourne gets himself too much committed, as I have some fear he will do, with the Radicals.

*January 31.*—R. Grosvenor<sup>2</sup> writes to ask if I will second his nomination of you for the Speakership. As at present advised, I must say very decidedly ‘No,’ and I hope you will yourself beg him not to put you up.

Besides the reasons which I stated the other day, it is impossible you should succeed unless the Tories withdrew Sutton avowedly in your favour ; and this would at once throw discredit on all our professions of neutrality, and on your refusal to accept India at their hands.

<sup>1</sup> Among the foremost fighters.

<sup>2</sup> Lord Robert Grosvenor, afterwards Lord Ebury

R. Grosvenor says that George Bentinck sends him an analysis of the new House, according to which we muster eighty-six, of whom he says he is the most decided, and invites Grosvenor's adhesion.

As the opening of Parliament drew near, Sir Robert Peel wrote to Sir James Graham, offering to communicate to him the Speech to be delivered from the Throne. This Sir James civilly declined, repeating the assurance that Lord Stanley and he entertained a confident hope of being able to give to Sir Robert Peel's measures independent and therefore more efficient support, but pointing out that such support 'would lose half its value and all its frankness' if it were the result of previous secret information.

The Whigs, on the other hand, found themselves confronted by a difficult task, for which they too required allies. How should they—as they phrased it—'give Sir Robert Peel a fair trial'?

There appeared no question [writes Lord John Russell] so well fitted for an *experimentum crucis* as the question of the Irish Church. I, therefore, proposed to bring forward a resolution, which on the one hand would be supported by Lord Howick [son of Earl Grey], and was on the other the basis of an alliance with O'Connell and the Irish Members. 'Compact' there was none, but an alliance on honourable terms of mutual co-operation undoubtedly existed.

And by means of that alliance Peel was overthrown.

Abercromby was elected Speaker, by a majority of ten. A few days later, by Graham's adroitness, Stanley found an opportunity of addressing, at his own house, some fifty Members. Of these, thirty-three had assembled elsewhere, on anonymous invitations addressed to them as 'moderate men.' Graham had attended their meeting,

and, in making Stanley's excuse as being detained by a similar assembly at his own house, had added an intimation that any of those present would be welcome there. All went, and Stanley urged on them the propriety of giving the Government a fair chance to propose their measures. The meeting was then adjourned, and so an opportunity was given to add to the numbers of adherents.

On February 25 Lord Morpeth moved an amendment to the Address, censuring the Dissolution as tending to interrupt the further progress of Reform. In the debate on this motion, Lord Stanley, for the first time, appeared as leader of a new third party.

I speak [he said] not only my own sentiments, but the sentiments of a body of gentlemen, not insignificant in point of numbers or station in this House, who, bent upon the sure but steady attainment of certain measures of Reform, are determined to effect our object by no party course of proceeding, but by such a course as in our own unbiassed judgment we may deem most conducive to the end in view.

Sir James Graham followed in the same sense.

There were large promises [he said] in the King's Speech, and he was determined to put the present Ministers on their trial without favour and without affection, resisting any factious motion, the tendency of which might be to displace them. Such were the sentiments he had expressed in Cumberland, and by these he was prepared to abide.

In reply to Stanley and Graham O'Connell asked :

What are we to call that section of the House over which the noble Lord presides ? It is not a party—that he denies. It is not a faction—that would be a harsher title. I will give it a name ; we ought to call it ' the Tail.'

How delightful it would be to see the noble Lord strutting proudly with his sequents behind him, and with a smile passing over his countenance 'something like'—as Curran said—'a silver plate on a coffin,' while the right hon. Member for Cumberland made one of its lustiest links.

The name suggested, 'the Tail,' found no acceptance, and the attempt to fasten on Stanley Curran's sarcasm on the smile of some forgotten statesman also failed. But with a happier effort O'Connell cited two familiar lines of Canning :

So down thy hill, romantic Ashbourn, glides  
The Derby dilly, carrying three insides.

This scoff at the few passengers in the coach to be driven by the future Lord Derby took more effect, and for a while his party was sometimes spoken of as 'The Dilly.'

The 'Alliance' of Whigs and Irish now went actively to work. On March 30 Lord John Russell moved for a Committee of the whole House 'to consider how far the temporalities of the Irish Church were superfluous, and legitimately applicable to the civil necessities of the Irish people.' Sir James Graham, as arranged by Stanley with Peel, spoke early in the debate, expressing sincere regret for his severance from his old colleagues, but stoutly denying that he was departing from Whig principles.

The position thus taken up by Sir James Graham was warmly accepted by Lord Ripon :

CARLTON GARDENS, *April 1, 1835.*

I must congratulate you upon your brilliant speech last night, an admirable compound of sound reasoning, high principle, gentlemanlike and honest feeling, and remarkable eloquence.

But it will not avail. It is now averred that the Church in Ireland is not to be an Established Church, and Lord John's plan of appropriation is nothing but the most clumsy, inefficient, and paltry mode of executing a bad principle, and aiding a bad cause.

Mr. Gladstone described the speech as 'noble-minded.'<sup>1</sup>

But the approval which, beyond all others, Sir James Graham most valued, was that of his revered mother, Lady Catherine Graham had watched with anxiety her son's large concessions to the necessity for reforming the Protestant Church of Ireland—the abolition of ten bishoprics, and the compulsory commutation of tithes. She was delighted now to find that, in her own words, 'he and a few others had resolved at length to make a stand,' and she told him that 'his speech had made her very happy.'

Lord John Russell's motion for appropriation of any surplus funds of the Irish Church to secular purposes—though destined never to take practical effect until thirty-five years later Mr. Gladstone disendowed the Church—achieved for the Whigs their purpose of return to office.

Against the 'Alliance,' Sir Robert Peel's party could not have stood for a week without help from the Third Party. With their help it lasted only half a session. They could not save it from numerous defeats, and of these the most important were on the question on which Stanley and Graham had resigned, and on which the King had dismissed Melbourne and Russell.

Whigs, Radicals, and Irish united carried motions, first, to go into Committee on the Irish Church; secondly, in Committee, to appropriate surplus Church funds to

<sup>1</sup> Morley, i. 126.

<sup>2</sup> Torrens's *Life of Graham*, ii. 56.

secular purposes ; and thirdly, in the House again, to adopt that resolution of the Committee. Upon this last vote Peel resigned, having held office only four months, with loyal aid from Graham, warmly acknowledged on Peel's behalf by his brother-in-law.

*From Right Hon. G. R. Dawson*

I was greatly pleased to see your manly and honest avowal the other evening in the House of Commons. Though there are many circumstances to annoy and perplex Sir Robert Peel in his present course, yet he need not despair when he finds men like yourself, who will not suffer themselves to be led by faction, but will give utterance to their own honest opinions.

I think you need not alarm yourself as to the firmness of the Pilot, and when you know him better (which it is my sincere hope you will soon), you will find that he is not a likely man to submit his own view of what is right to the opinion of any other person.

A few weeks later Sir James Graham again refused the Government of India.

*Memorandum*

*May 1, 1835.*

The Duke of Richmond called on me this morning, and brought with him a note from Lord Melbourne. He asks the Duke if he still adheres to his decision that he would not go as Governor-General to India, and, if he does adhere to it, asks 'if Graham would go.'

The Duke stated to me his determination to refuse, and I at once communicated to him the same resolution ; upon which the Duke sat down and wrote to Lord Melbourne a note of which the following is a copy :

'Many thanks for your note and offer. Having made up my own mind to decline, I spoke to Graham. He also desires me to thank you for your recollection of him ; but in the present circumstances it is out of the question.'

It has thus happened that I have virtually twice



refused the Government of India in four months, under two different Administrations.

I refused it from Sir Robert Peel because, having declined the offer of a seat in his Cabinet on the ground of imperfect confidence and of the evils of premature coalitions, I thought that the acceptance of a lucrative appointment, which would remove me from the scene of a great impending struggle, would cast a shade over the motives of my past conduct, and prove injurious to my reputation both of personal honour and political integrity.

I refused it from Lord Melbourne because I am opposed to the principles on which his Government is formed, to the composition of his Cabinet, to the support of the Radicals and Repealers on which it rests, and to the destructive changes which it contemplates.

J. R. G. GRAHAM.

## CHAPTER XI

1835-38

Growing Alienation from Whigs and Association with Peel—Irish Municipal Reform—Conservatism in Glasgow—East Cumberland elects a Radical, rejecting Graham—His Bitter Attack on a 'Shabby' Government—Elected for Pembroke.

**I**T has now to be told how, during the next six years, Sir James Graham was driven into growing alienation from his old Whig colleagues, and drawn into ever closer union, out of office, with Sir Robert Peel.

When he refused to join Peel's first Administration he had been actuated by distrust, not of Peel himself—who since the Reform Act had made a new political departure, and had promised Liberal measures—but of Peel's men.

For the choice of these he had blamed Peel, it may be thought, too freely, for had Stanley and Graham seen fit to accept Peel's offer their own third party might have filled four places in his Cabinet, to the exclusion of four Tories.

A more valid reason for declining office had been given in the Knowsley letter.

The sudden conversion of long political opposition into the most intimate alliance—no general coincidence of principle, except upon one point, being proved to exist between us—would shock public opinion.

But even in that letter it was admitted that recent

events had narrowed the ground of difference which had till then divided them. And the still more recent conflict in Parliament had tended further to unite them. In defence of their common principle of reforming, but resolutely maintaining, the Protestant Established Church, against O'Connell's and Lord John Russell's opposite principle of appropriation of Church funds to secular purposes, they had fought side by side. For the time they had been defeated; but they stood ready to renew the battle, which in the end they won.

A frank exposition of Sir James Graham's views at this time as to his probable future party connection had been addressed to Earl Grey's eldest son.

*To Lord Howick*

*Private and Confidential.*

GROSVENOR PLACE, *March 13, 1835.*

I have received your letter and its enclosure in the same friendly spirit which dictated them. I wish I could express an expectation as confident as my desire is sincere that the result of these communications may be the removal of the obstacles which unhappily divide us. But I can assure you that I did not act hastily when I formed the decision of leaving your father's Government; for I not only had examined with care the grounds of the difference which had arisen in the Cabinet, but, guided by fixed principles from which my conscience would not allow me to swerve, I carried concession with respect to the Irish Church to the utmost limit—short of the surrender of my deliberate judgment—in the anxious hope that the rupture might be avoided, which others were not so desirous to avert.

It is, however, useless to look back; the enquiry is more important, Are our present objects really the same?

It would appear that you are of opinion that the Catholic Church should be established in Ireland, and that the scruples and the unwillingness of the Protestants

of Great Britain to adopt this policy alone restrain you from an attempt to give effect to it. I, on the contrary, adhering to Whig principles, regard with peculiar jealousy a dominant Catholic Church ; and in the present circumstances of Ireland I am convinced that the Union cannot be maintained, if the Protestant connection be severed, and if Popery be established in that country, as the triumph of agitation over law.

I was most anxious to see the Catholics in the full enjoyment of equal civil rights, to relieve them from direct payments to a Church which they consider heretical, and to consult their feelings and their wishes to the utmost extent consistent with the maintenance of the Protestant Church, which I find established by law in Ireland. But every concession has given rise to fresh demands, and it is now distinctly avowed that the overthrow of the Protestant Establishment is the end in view. To that end I am decidedly hostile, and I can take no step which leads in that direction.

It becomes me therefore to exercise peculiar caution, when such intentions are declared ; especially when in England also a powerful party has arisen eager for the downfall of the Church. I must admit no principles which shall weaken the defences of the established religion, or shake the foundations on which it rests.

Your letter, and the arguments contained in the memorandum, appeared to me so important at this juncture, and so well entitled to attention on account of the ability with which the reasoning is conducted, and of the friendly temper and tone in which you appeal to me, that I did not hesitate to communicate the documents to Stanley, under the reserve of the strictest confidence.

He has returned them to me with a memorandum, which I send to you, since it contains an exact exposition of the views entertained by me in common with him on the vital question now at issue. We rely on your honour and discretion in the use which you make of it. Of course you are at liberty to show it to Lord Grey, from whom neither Stanley nor I can ever wish to have a secret.

With respect to any new combinations in the formation

of an Administration, I know none which can be sound, permanent, or honourable, unless founded on an express agreement as to the policy to be pursued with reference to the Church Establishment in Ireland.

You are now in full possession of our sentiments. I fear they will be found still at variance with yours. If you can reconcile them, I do not believe that any other obstacle will arise to impede our reunion with your father's friends, though in frankness I am bound to state that to the composition of Lord Melbourne's Administration I for one am decidedly opposed.

Come what may, permit me to express the hope that, even if we should be compelled to differ, we may differ as those who desire to continue friends, and if possible to be reunited in the public service.

For some months more Sir James Graham sat on the Government side of the House. But in June, after voting against some details of the Whig Municipal Bill, as he was returning to his seat, a rude cry was made by disorderly members—'Stay, stay,' followed by a protracted cheer. Stung by the insult, Sir James took a seat for the first time with the Opposition below the gangway, where later he was joined by Lord Stanley.

Next day *The Morning Chronicle*, in an article ascribed to a friend of Lord Durham, called on the electors to expel Sir James from the representation of Cumberland.

As a new session approached, Lord George Bentinck reported to Graham on political prospects.

*Confidential.*

WELBECK, January 24, 1836.

Howick wrote a most pressing letter to Evelyn Denison<sup>1</sup> to move the Address for them, but he has declined, upon the ground that such a course would be inconsistent with his profession of a *juste milieu* party.

Richmond's heart is with Melbourne and Lord Spencer.

<sup>1</sup> Afterwards Speaker, and Viscount Ossington; married to Lord George's sister.

I think he half doubts the sound policy of the line he, you, and Stanley have taken upon the Church question, but having taken it will stick by it ; yet I think he would not come into office again, even if the present Government were to be beat, and Stanley's party were to form a prominent feature in the new Administration.

I think my father [Duke of Portland] is full as Conservative as he was last year. My uncle [Lord William Bentinck], as you are aware, is warm with the Government in their general course of politics. It seems that he will be returned without a canvass for Glasgow.

The Government, I take it, are extremely anxious to enlist Lord William under their banners, and as far as health and activity go I think he is quite himself again. . . . But he has no personal love or regard for Melbourne, whom he calls 'a damned old Tory in his heart.'

He thinks you and Stanley originally wrong in the view you took of the Church question, but having taken that view would have admired the line of conduct you pursued, had you not afterwards gone hand over head to the Tories. He thinks, at whatever personal inconvenience, you should have kept your original position in the House of Commons [on the Whig side].

The first important measure brought in by the Government was for the extension of Municipal Reform to Ireland. On this question Sir Robert Peel, while he desired to put an end to the existing sectarian Corporations with all their abuses, did not see his way to placing the elections, as in England and Scotland, in the hands of majorities of the ratepayers, who in Ireland generally, and especially in Dublin, he feared, would substitute Catholic for Protestant domination of Town Councils. This apprehension he communicated to Sir James Graham, who, after consulting Lord Stanley, suggested preparation of an alternative Bill, providing otherwise for the chief functions of local government.

*To Sir Robert Peel*

*Most Confidential.*

*February 12, 1836.*

I have just now seen Lord Stanley, and he tells me distinctly that, on the whole, yielding to your argument with respect to Dublin, he is ready to support the abolition of Corporations *eo nomine* throughout Ireland, and to avow the principle, that the exclusive power now exercised by the Protestant minority, though surrendered, shall not be transferred to the Catholic majority.

The selection of juries universally to be entrusted to Sheriffs appointed by the Crown ;

All civil and criminal jurisdiction to be exercised by Assistant Barristers' Courts ;

Local Patronage arising from the discharge of local functions now vested in the Corporations to be given, under very strict guards, to Boards either existing or to be appointed in the different cities and towns.

These are Lord Stanley's views, ascertained by me, since I saw you.

He agrees with me that not a moment should be lost—if the Duke of Wellington and Lord Lyndhurst consent—in giving to these provisions the shape of a Bill.

Instead of the Bill thus proposed, an instruction was moved by Lord Francis Egerton to a similar effect. This being defeated, the Government Bill went on to the House of Lords, who returned it transformed into a measure for the abolition of municipal corporations in Ireland. The two Houses could not agree, and the Bill fell through.

Another chief measure brought in was for the Commutation of Tithes. On this question Graham took up the same ground as before—readiness for all reasonable Reform, but resistance to Appropriation.

*To Lord Stanley*

GROSVENOR PLACE, May 29, 1836.

It will never do to oppose the plan of the Government without tendering another and a better measure in its stead. That the present state of the tithes question in Ireland is satisfactory no rational being can assert with truth.

On the other hand the friends of the Church are nearly agreed on a plan which removes every well-founded objection to the present Establishment, and which ought to receive their unanimous support.

*July 26, House of Commons.*—I venture on the invidious task of recalling your attention from the pleasures of the country to our irksome duties here.

Peel proposes that we should meet him for the purpose of finally arranging the course of proceedings.

The dispute between the Radicals and the Government for a moment assumed a threatening aspect; but O'Connell came to their rescue, and Melbourne repaid the service with interest on the spot, by binding himself more closely than ever to the Appropriation Clause.

The difficulty, however, is postponed, not surmounted, since the Dissenters have declared their intention of fixing the burden of Church rates on the Chapter property, and Johnny as yet stands stout, and says he will not allow it.

Meanwhile some of the constituencies were inclining to Liberal Conservatism.

In the Universities of Scotland the quaint old custom of vesting in the undergraduate students, mere lads, the appointment of their Lord Rectors has often thrown some light on the prevailing political tendencies of the rising generation. In Glasgow, after the Reform Act, the first three Lord Rectors elected were Mr. Stanley as a Whig Reformer, Sir Robert Peel as a reforming Tory, and Sir James Graham as a Conservative Whig. The following letters relate to the installation of Peel.



*From Sir Robert Peel*DRAYTON MANOR, *November 29, 1836.*

I have accepted the appointment of Lord Rector, and the proposal of a public dinner.

I felt that I had no alternative ; that it would be inconsistent with the advice I had given to others, and my own feelings as to the state of public affairs and the necessity of unremitting exertion on the part of all who wish to preserve a National Church and the Constitution of their country, if I were to damp the ardour of the academic youth of Scotland by a cold refusal of the distinction which they proffered me.

*To Lord Stanley*NETHERBY, *December 3, 1836.*

Since we last exchanged letters, the election of your successor at Glasgow has taken place. I am glad that Peel was chosen rather than Lyndhurst. In the present critical state of public opinion in Scotland I dread the indiscretion of the High Tories.

You will have seen an account of the measures taken to invite Peel to a public dinner at Glasgow. Monteith, an old Tory of the purest water, is to be in the chair. I have declined to attend, on the ground of my intimate connection with the Hamilton family, which first introduced me to Lanarkshire and Glasgow, and more especially because I thought it would be unseemly unnecessarily to appear by the side of Sir Robert Peel, when he received the tribute of his friends for his firm opposition to measures which I had advocated, and which, as they think, have produced the present crisis.

At the same time I begged Mr. Finlay to be assured that there was no reserve between Sir Robert Peel and me, on the contrary I should state to Peel himself the reasons for my absence, and I had invited him to call here on his way to Glasgow.

We have had a good show of woodcocks ; when you write, give me a report of the moors.

I shall be glad to revisit the old house in Carlton Gardens, the scene of so many important decisions, and the happy days of our early friendship.

*From Lord Stanley*

I shall look anxiously for a report of the proceedings at the Glasgow dinner, and I cannot help thinking that Peel may be under some embarrassment from the over-zeal of his Scotch Tory friends. He knows however as well as most men how *se tirer d'affaire*, and I have no doubt will dance the tight-rope with great skill.

Your invitation to him, and his acceptance of it, are equally well played, and I am glad he goes to you.

I am idling and shooting away, now and then looking forward to the 31st of January with very much the feeling that a boy looks to the approaching termination of his holidays, and the bore of beginning another 'half.'

*To Lord Stanley*

I am very glad you approve of my decision not to go to Glasgow.

Your nineteen woodcocks make my trigger finger itch. We shall take the field next week.

*December 12.*—Before sending the newspaper to Peel I took occasion to read over your Rectorial Address. It would dishearten any second-rate performer, and fill him with despair, and Peel himself cannot hope to make so good a one. There is nothing to alter or regret in that speech ; it will stand the test of time, and is fresh and appropriate as when it was made.

*To Sir Daniel K. Sandford*

I am very glad that you have succeeded in resisting every attempt to give an exclusive High Tory character to the Glasgow dinner. I am persuaded that nothing could be less in accordance with the feelings and wishes of Sir Robert Peel himself ; and as far as public opinion is concerned it would have been fatal.

*From Sir Robert Peel*

I am not at all surprised at your decision with respect to the Glasgow dinner, and have no doubt I should have come to the same, had I myself been placed under similar circumstances.

In Cumberland coming events had already begun to cast their shadows before. In August, at a bye-election, a Radical had been returned, without a contest.

*To Lord Stanley*

NETHERBY, *August 30, 1836.*

The game in this county has been more distinctly opened. James is the only candidate, the Conservatives have taken no step whatever. All my old Whig supporters have signed the requisition to James. But the fact most worthy of notice, and that which I could least have credited, is that Lord Morpeth signed it, thus identifying the Government with Radical opinions.

Where is the accusation of desertion of Whig principles, when we see the Howards (!) co-operating with the advocate of universal suffrage and election by ballot, who voted for expulsion of the Bishops from the House of Lords, and is the bold and consistent enemy of the form of government still established in this country? Who is the traitor to Whig principles? the ally of O'Connell, or the supporter of the Protestant religion?

A few months later, how far alienation from his former colleagues had gone appears in a letter to Lord Stanley, in which—after referring to the recent loss of his beloved mother, and of a sister after only four days' illness—Sir James writes:

It is clear that the Ministers are powerless for good, and are only the tools and instruments of a superior power, bent on mischief.

On the most mature and dispassionate reflection, while I regret many things to which I have consented, I regret nothing which I have opposed. Our secession from Lord Grey's Government and our entire separation from our former friends, while they still grieve me on private grounds, appear in my sober judgment measures of prime necessity which public duty rendered inevitable.

As regards re-election, his feelings and intentions

are fully explained to his friend Lord Granville Somerset, a warm supporter of Sir Robert Peel.

NETHERBY, *December 17, 1838.*

I will shortly and explicitly state what is my position, and what is my resolve.

I obtained the representation of my native county, in which all my property is situated, as a member of the Old Whig party, pledged to Parliamentary Reform, but the avowed friend of the Protestant Church Establishment, and the enemy of Ballot, short Parliaments, and all the nostrums by which the regal and aristocratic power is assailed.

It is needless to advert to my secession from the Whigs. They retain the name, but, as I contend, have changed their principles. I adhere to my principles, and am indifferent to the name.

Amidst these shocks and changes I have hitherto retained my seat for Cumberland. At the last election I declared that I would support Sir Robert Peel's Government, if he brought forward the measures he had promised in an address to his constituents. He redeemed his pledge; I endeavoured to fulfil mine. I was then threatened with a contest and the loss of my seat; but no one ventured to attack me, and I have given repeated assurances that I would not shrink from giving to my constituents a fair opportunity of passing judgment on my conduct.

These constituents are my neighbours, my friends among whom I live, and with whom by the ties of property I must remain connected. It will not do then for me to shirk away from this tribunal, as if I were ashamed of my public conduct. My friends would justly say that I had deserted them; my enemies would triumph in the assertion that, as a changeling and an apostate, I dared not to meet them face to face.

The call of honour is imperative, and I cannot shrink from the impending contest. The result is doubtful. Much will depend on circumstances which cannot be foreseen. With the Government opposed to me, my difficulties would be increased.

The conduct also of Lord Lonsdale and Lord Lowther is important. We have been angrily opposed ; cordial union is difficult. I would not consent to fight the double battle with a candidate nominated by them, and I am not myself entitled to expect active support from that quarter.

On the whole, my game is not desperate ; and if it were I cannot with honour retire unless defeated.

My decision is founded on a feeling stronger than reason, a sense of public duty. If I failed to satisfy my own judgment and conscience on such a point, I should be unfitted for the public service. I counted the full cost when I was driven to leave my party, and I am content to encounter even exclusion from Parliament.

Of course I have reflected long and anxiously on this subject. My mind was made up when last year I rejected a similar proposal from Liverpool, and a very flattering inquiry from Middlesex. Subsequent reflection has only confirmed my determination, and you must consider this answer final.

On this decision Lord Stanley remarked :

LATHOM HOUSE, *December 17, 1836.*

I see all your difficulties in retiring from a contest to which you are pledged. Yet I cannot contemplate your exclusion from Parliament with as much coolness as you seem to do, and your case being only ' not desperate ' does not sound promising.

I confess I do not see the honourable obligation in the same light as you do, if you should have previously ascertained that a contest would be a hopeless expenditure and vexation to yourself and others.

But if you continue to see it in the same light, I should be the last man to urge you to consider consequences.

Sir Robert Peel took a somewhat different view.

I think your decision with respect to Cumberland a natural and just one. But surely Cumberland must be catching the contagion of sound principles to such an extent as to secure your return on the same grounds as before, the disposition to improve, but not to destroy.

On his way to Glasgow, and again on his return, Peel paid visits to Graham, duly reported to Lord Stanley.

NETHERBY, *January 15, 1837.*

From Peel's language, during his first visit, I collected that he was resolved to risk the displeasure of the High Tories, and to hold out the hand of fellowship to all Reformers who, with him, are willing to resist the democratic influence.

I have not yet seen the report of the dinner speech, but from his manner and tone I am persuaded that he feels he was successful, and produced a strong impression.

He tells me that he spoke for two hours to 3,500 men, all of whom heard him, and whose countenances he could see; that on several occasions they rose simultaneously while he was speaking, and greeted him with cheers which were overpowering; that in that vast assemblage there was but one heart, one mind, and one determination—he is persuaded—to defend to the last extremity the Monarchy, the Peerage, and the Church.

The Moderator of the Church of Scotland made, he said, one of the most impressive and effective speeches he ever heard, to which the whole multitude responded, and in which he staked their National Church in defence of the common cause of the Church of England and Ireland.

Peel received the freedom of Lanark, the centre of Radicalism; many of the Town Councils of the Royal Burghs sent deputations to him, and three thousand of the operatives of Glasgow united to purchase for him the freedom of their City, which had been refused by a vote of the Town Council. Immense numbers of the parochial clergy, who had hitherto stood aloof from political conflict, crowded to the standard.

Peel's liberalised tone, and avowed abandonment of the High Tories, were—I am persuaded—the immediate cause of a portion of the enthusiasm.

I should say that on the whole he was sanguine, that he expected the Government to fall into his hands, and that he was prepared to take it if you would join.

He evinced considerable anxiety to ascertain your present sentiments and intentions.

I said that I had no certain information, but when such great principles and interests were at stake you would not be found to act lightly, and, though the conflict itself had less charms for you than might be supposed, I would answer with my life that in any emergency sense of duty to the public and firm adherence to principle would prevail with you over every other consideration.

In 1837 but little passed in Parliament. On three Irish questions—Municipal Reform, Tithes, and Poor Laws—Lords and Commons remained at issue. There was imminent danger of disunion in the Conservative party, and of separation from Stanley and Graham.<sup>1</sup> On June 20 King William died, and Princess Victoria acceded to the throne. The general election which ensued made little change in the strength of parties, 'Graham, defeated in Cumberland, was the only prominent statesman who lost a seat.'<sup>2</sup>

Sir James went hopefully to the poll, but found his old Blue friends too strong against him, and his new Yellow supporters too lukewarm or too weak.

### *To Lord Stanley*

NETHERBY, *July 9, 1837.*

My own brother-in-law, Sir Wilfrid Lawson, votes against me; all my old powerful supporters, the whole weight of the Howard influence, are in active and bitter hostility to me; the Government and the Treasury are in full operation to secure my defeat; money is subscribed for this purpose from every quarter, and greater efforts cannot be made.

I, on the other hand, am driven by the force of circumstances to act with many gentlemen who have been my old opponents.

<sup>1</sup> *Peel Papers*, ii. 337.

<sup>2</sup> *Walpole's History*, iv. 99.



NETHERBY : FROM THE APPROACH.





*July 30.*—Fanny and I shall be most happy to see you, Lady Stanley, and your children here on Wednesday, the 9th of August. My fate will be decided on the Tuesday at latest; and whether disappointment or success await me your presence will give me pleasure.

I cannot speak with confidence, but my hopes rather increase than diminish as the time draws near. The tide has rather turned in my favour.

I have succeeded in placing the issue as between Radical and Constitutional Reform. I have brought the old Tories up to this mark.

Among Graham's new supporters was Lord Lonsdale. Among his opponents, to his chagrin, was Major Aglionby, who as a Whig of the right colour secured one seat, the other falling to the Radical. Old friends who stuck to him wore no colours and bore no flag. Radicals would not tolerate as 'Yellow' a member whom they had elected five times as 'Blue.'

The few months of Sir James Graham's absence from the House of Commons were usefully and agreeably spent in superintending agricultural improvements at Netherby, in making up for lost time in literary pursuits, in sport, and in visiting political and other friends.

*From Sir Stratford Canning*

RADFORD, *September 16, 1837.*

Your visit to Drayton cannot fail of being useful to the cause. In every sense it must be agreeable to your illustrious host; and I always look on you as the sheet anchor of that union which is essential to its success.

*To Lord Stanley*

NETHERBY, *October 3, 1837.*

I found Peel in tolerable health, but still rather lame. We shot together three days, and he walked stoutly, but I should say in pain. Towards the close of our visit he was in good spirits, but at its commencement he was

involved in all the painful anxiety attending the doubtful issue of his correspondence with Captain Townshend,<sup>1</sup> which has ended so honourably to Peel, and in the appointment of the Captain to a ship by the Board of Admiralty.

I showed Peel your last letter to me, and as usual I found him agreeing with you on every point.

*From Lord Stanley*

KNOWSLEY, October 8, 1837.

I found Lord Grey very well, not disposed, however, to talk politics, but at least as strongly anti-O'Connell as ever, censuring strongly the course pursued by the Government towards him, and adverting with some bitterness to the intrigue by which he was himself turned out of the Government. I do not think he will ever again attempt to take any active part in public life, and I feel convinced he would not be found opposed to a Conservative Government.

Through Peel and Stanley Graham kept himself in touch with the House of Commons.

*From Sir Robert Peel*

November 21, 1837.

Our proceedings on the first day were not without interest, for they manifested a tendency to alienation between the Government and the Radical party.

The Speech was barren and meagre, beyond the usual standard of such addresses. It abused the privilege of saying nothing.

The Radical party showed great dissatisfaction with the tenor of the Speech, but greater still with the declarations of Lord John Russell.

We all expected a Radical speech from him. The Radicals I suppose expected it also, and were wholly unprepared for his intimations—that the Duchies of Cornwall and Lancaster were to be reserved; that the question of Church rates was to be abandoned, or at least left in complete abeyance; that Ballot and Extension of the Suffrage were to be resisted, and

<sup>1</sup> Demanding an apology. See *Peel Papers*, ii, 350.

Septennial Parliaments to be maintained; and this not merely from the abstract impolicy of the proposed changes, but on a novel ground, and one opposing, if sincerely stated, an insuperable personal difficulty—namely, the engagements implicitly contracted by Lord John towards his colleagues and others who had been parties to the Reform Bill.

We had 298 members present, and sixteen or seventeen absent. Our numbers appeared to produce a visible—too visible—effect on Lord John's tone and manner.

Your anticipations as to the eagerness and impatience of some of our friends are confirmed by the results of their congregation in London. However, they were all in very good humour on meeting at my house yesterday, and no one suggested any particular question of an aggressive character which it was wished to bring forward.

I myself much wish the opportunity for a good party division should arise.

*To Lord Stanley*

*Private.*

NETHERBY, December 12, 1837.

I must tell you with how much heart-felt pleasure I have read the report of your last two speeches, which have left nothing for your friends to desire, or for your opponents wherewithal to cover their shame.

When I read your last speech, on the Pensions, I regretted my absence from the House of Commons, and with old *Æschines* was tempted to exclaim to myself, 'Oh, had you but heard him!' For the words that burned were there, but the action, the voice, the indignant defiance, the withering gesture of contempt—all these were wanting; and my perception of the real excellence of this master-speech was imperfect.

To any other Administration I should say that the disgrace of the last week must be fatal. . . . And yet my belief is these gentlemen will struggle on. The Radicals are well aware how 'squeezable' they are, and how ready in the main to do their bidding; and though they will bluster a good deal, and extort from them all they can, yet they will take care not to turn

them out, since they answer their present purpose, not only by advancing democracy, but by rendering the Whig portion of the aristocracy contemptible.

I cannot understand Her Majesty. If she ever reads the debates and can form an opinion of her own, she must have been struck with the ungenerous baseness of the conduct of her Ministers on the Pension question ; and I imagine she has put her veto on Ballot and the other Radical conundrums. Yet Melbourne would seem to enjoy her favour in a high degree.

Some months after his rejection by his constituency, at a dinner given to him (Jan. 4, 1838) by the East Cumberland Conservatives, but attended also by many old Whig friends, Sir James Graham used the opportunity to give vent to his personal feelings.

The defeat itself [he said] was not half so painful to me as some circumstances attending it. I had hoped—after a life of some duration spent in the service of the county—that even if the constituency were resolved to strike they would first have heard me. I did not suppose that I should be hunted almost like a dog through the streets of Carlisle, and that my unoffending son would be knocked down at my own feet, and almost trampled upon. I regret for the honour of Cumberland to be compelled to state that scenes took place which I think disgraceful to the free institutions under which we live.

During the last six months the floodgates of Billingsgate have been opened upon me, the vocabulary of abuse has been ransacked to find terms of opprobrium to apply to me. I have been called turncoat, bigot, apostate, renegade. The shout of triumph has been raised in Downing Street, and echoed in the lowest corners.

Sir James went on to quote with scorn from a speech of the Prime Minister—‘ a revised speech ’—the apology with which he had introduced his Tithe Bill, including the Appropriation Clause.

I cannot conceal from myself [Lord Melbourne had said] that this measure will be in the first instance and for a certain time a heavy blow and a great discouragement to Protestantism in Ireland. . . . But this evil, which I trust will be but temporary, is forced upon me by untoward circumstances. . . . I cannot avoid it. I admit the great peril and danger which necessarily attend upon such mighty and fundamental changes. The shake and convulsion which they create render doubtful the safety not merely of the Establishment, but of the Constitution itself.

On this frank avowal of a Prime Minister introducing a measure framed by his own Cabinet Sir James Graham remarked :

Lord Melbourne says, 'this measure is forced upon me.' Forced ! By whom, and for what ? An attempt was made to force the same on me. Did I yield to that compulsion ? The choice was between Downing Street with the surrender of the Protestant Church, and the maintenance of the Protestant Church with the surrender of Downing Street ; and I never hesitated as to what my course should be.

The measure is 'forced' on Lord Melbourne, 'he cannot avoid it.' I blush to recall such language proceeding from a Minister of the Crown. The compulsion was at first inexplicably secret. We now know what it means. . . . The terms of the 'compact alliance' formed at Lichfield House have been expressly stated by Mr. Sheil. He says that 'the Whigs as a party are now pledged for ever to the secular appropriation of ecclesiastical property, without which all Church Reform will be a mere imposture.'

Not content with thus laying bare the motives, as he conceived them, of his late colleagues in pressing their Appropriation Clause, Sir James proceeded to denounce their conduct towards him on Reform.

The whole influence of Lord Morpeth and of his father,  
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Lord Carlisle, has been thrown against me, their late colleague, who helped to carry the Reform Bill, and in favour of a candidate who notoriously supported ballot, universal suffrage, and short Parliaments. These Radical nostrums are pressed upon us as if nothing had been done, and I am taunted with inconsistency because I will not consent to be hurried along the downward path of revolution.

Lastly, after describing with pungent sarcasm the behaviour of Lord John Russell, Lord Howick, and Lord Morpeth in attempting to escape from a division, to which they were brought back ignominiously by the serjeant-at-arms, and—being compelled to vote—had voted with Sir Robert Peel, he summed up thus :

There may have been more wicked Governments, there may have been more powerful and dangerous Governments, but I defy any one to produce from the annals of our country a more shabby Government than the present. I say it with regret, duplicity is its characteristic ; and the historian who hands down its deeds to future times will tell posterity that it is worthy only of the contempt of a great people.

An onslaught so unsparing on the Ministry of which he had been a member, or rather on what remained of it after six resignations—of Lord Durham, Lord Grey, Lord Stanley, the Duke of Richmond, Lord Ripon, and himself—irresistible as may have been the provocation to it, could not soon be pardoned or forgotten. It was of a nature to break off all kindly relations, and years had to pass before these were happily renewed.

But while some of Graham's former colleagues were infuriated by his outspoken condemnation of their conduct, one at least of his fellow-seceders was moved to impassioned admiration.

*From Lord Ripon*PUTNEY HEATH, *January 8, 1838.*

I have read this morning your incomparable speech.

It literally made my fingers tingle with delight as I went on, and I could scarcely refrain from re-echoing the enthusiastic cheers with which it is stated to have been received.

Nothing could be more powerful and triumphant than your vindication of your own conduct; nothing more withering than your comments upon that paralytic body by which the country is so unhappily misgoverned. I wish them joy of their paltry triumph in having ousted you from your county; but if they have any feelings as men of honour and gentlemen, they will shrink in abject shame from your exposure of their inconsistencies, their feebleness, and, above all, their shabbiness.

As for the constituency which it had once been the dearest object of his ambition to represent, and which had five times triumphantly returned him to Parliament, he now bade it a last farewell. He had sacrificed every other consideration to an endeavour to explain and come to terms with them. They had refused even to hear him, and he would never seek their suffrages again. A prompt and generous overture had been made to him by his friend Mr. Freshfield to resign in his favour the seat for Falmouth, but that Sir James had declined. His wish was rather to wait for some opportunity such as had been pressed on him, in Liverpool and in Middlesex, before the general election. But now time must probably elapse before another such vacancy would occur; meanwhile, his presence in the House of Commons was of importance to the Conservative party; and an offer was made to him by an old friend to create a vacancy at Pembroke. As to this he con-



sulted Lord Stanley and Sir Robert Peel, by their advice accepted the invitation, and was at once returned.

*To Lord Stanley*

*January 21, 1838.*

Granville Somerset will have informed you of a proposal made by Lord Cawdor for securing my immediate return to the House of Commons. My long intimacy with Cawdor,<sup>1</sup> the Howard connection, and our uniform agreement in political affairs would reconcile me to such an arrangement with him, but still I am unwilling to be returned in this way, and am disposed rather to wait for some popular opening.

I have told Granville Somerset, however, to consult you and our friends.

*January 24.*—I have left the decision mainly to you and Peel. Cawdor and I are very old and intimate friends, and the circumstances of his Howard connection, and former hostility to Sir John Owen, now converted into cordial co-operation on my account, are strong inducements to accede; yet the private arrangement of a forced vacancy is objectionable on principle. But if I wait till I can command my return in my own way, I may delay it till the crack of doom.

*To Sir Robert Peel*

*NETHERBY, January 28, 1838.*

You see I have renounced all my vows of patience, and have departed from my good intention of allowing no vacancy to be made for me by private arrangement for my admission. But in this, as in most other cases where we are highly tempted, I have yielded to the hope that the peculiar circumstances may justify the violation of the rule.

I have received the most sincere gratification from your wish for my return, and from the exertions which you have made to accomplish it, amidst cares of far higher importance.

<sup>1</sup> Lord Cawdor, whose mother was Lady Caroline Howard, and Lord Morpeth had been Graham's proposer and seconder at Brooks's in 1812.

*From Sir Robert Peel*

DRAYTON MANOR, *February 2, 1838.*

I need not say how cordially I rejoice at the prospect of your early return to the House of Commons.

Every minor consideration should be forgotten, if the great object of a safe and honourable return can be secured. The tide of events is so rapid, and so much depends upon close and daily experience, not merely of passing events, but of the shifting hues in the relations of parties, and the tone and conduct of individuals, that a man after a considerable interval returns under disadvantages, which few could so easily repair as yourself, but which still had better be avoided.

For myself, I feel very strongly that if I were three months out of Parliament, it would be a very great effort to return to it at all.

## CHAPTER XII

1838-39

Whig Patronage—Compromise on Irish Municipal Bill—Appropriation Clause abandoned—Ballot—Graham and Lord John Russell—Correspondence with Lord Tavistock—Elected Rector of Glasgow University—Church Patronage Question—Lords' Committee on State of Ireland—Appeal to the Commons—Jamaica—Radical Defection—Whigs resign.

WHEN he returned to Parliament in 1838, Sir James Graham did not spare his former colleagues. On a motion of Mr. Hume to censure an alleged Whig job, he remarked with sarcasm :

If the hon. member, instead of attempting dangerous flights upon Colonial questions, would be content to skim along the mud of official proceedings, he would be usefully employed. Let him initiate an inquiry how far Her Majesty's Government has carried into effect the promise of Lord Althorp, that the reign of patronage was at an end. He would be able to show that never was there a Government in England that exercised the patronage of the Crown with a more direct and exclusive view to the augmentation of their own political power.

A little later, when the Irish Corporation Bill was brought in for the third time, Sir James took active part to bring about a compromise.

*To Lord Stanley*

*Private.*

GROSVENOR PLACE, *May* 20, 1838.

We had a meeting of about thirty members at Peel's yesterday, where it was unanimously resolved to proceed

on the principle of endeavouring to effect a settlement, and with this view a Committee was appointed to prepare the scheme of the amendments necessary in the Irish Municipal Bill. I undertook to persuade you to give us your assistance.

We must not only satisfy ourselves, but must obtain the previous concurrence of the Lords. A settlement on fair but safe terms is of primary importance, and I hope you will give us your all-powerful aid, without which we shall break down.

Irish members had attended such meetings, and so far as the House of Commons was concerned the prospect seemed hopeful, but for the House of Lords the Duke of Wellington refused to engage, unless the Government would agree also to an Irish Tithe Bill, and drop their Appropriation Clause.

This was humiliating for them. In 1835 they had 'given Sir Robert Peel a fair trial,' turned him out, and taken office, on a resolution 'that no measure upon the subject of tithes in Ireland can lead to a satisfactory and final adjustment which does not embody the principle' of appropriation of surplus revenues of the Church to a secular purpose. To this resolution Lord John Russell, as the mover of it, was pledged. But as early as in February, 1837, in a debate on the Irish Church Lord John had said :

No personal feeling of mine, no false pride, on my part, shall stand in the way of a settlement of this great question.

And Lord Melbourne had written to him :

What you said is understood to intimate pretty plainly the giving up of the Appropriation clause.<sup>1</sup>

<sup>1</sup> Walpole's *Life of Lord John Russell*, i. 288.

At any rate, the Government now succumbed, knowing that otherwise their Bill would not be accepted by the House of Lords. Both Bills passed, and Appropriation was not proposed again until, after the deaths of Peel and Graham, in a new generation, it was taken up by Mr. Gladstone.

Thus the Whig Tithe Act passed in 1838 differed little from Peel's Bill rejected in 1835. Graham and Stanley had achieved their main purpose. They had averted, for their time, the one project which, pushed by Lord John Russell, had caused their resignation.

There were, however, as has been recorded, other proposals, and other tendencies, of what Graham called 'the *mouvement* party,' which he thought it right to oppose.

Foremost among these, and to his mind typical of the rest, was Ballot. On this question, too, the lapse of generations has thrown light. It was adopted, in 1872, also under the auspices of Mr. Gladstone, and its effects, for good or for evil, have hardly been so grave as was foretold by keen advocates and staunch opponents.

Sir James Graham had from the first disliked Ballot. In the Committee that drafted the Reform Bill, he had voted for it only *ad referendum*, hoping thereby to induce the less Liberal members to acquiesce in a low rate of franchise, by way of compromise. (See page 120.) And when the Cabinet did lower the borough franchise to £10, and did reject Ballot, Graham felt himself bound thenceforward stoutly to maintain that compromise. To act otherwise was in his opinion a departure from the honourable understanding that Lord Grey's Cabinet, having brought in an extensive

Reform Bill, should take their stand on it, resisting any further democratic change.

Lord John Russell, on the other hand, states that in the Committee of Four 'vote by Ballot was adopted on one of the last days of our sittings, against my earnest advice.'<sup>1</sup>

Yet, having so advised, and having been a party to Lord Grey's compromise, while he himself continued to support it, he did not as a leader enforce it on his colleagues. On the contrary, in 1837 he advised Lord Melbourne—in order to carry with them 'those Whigs who are Whigs in party and Radical in opinion'—to make the ballot an open question; and in 1839 he announced in Parliament that it would be so, with the result that four of the Government voted for it, and two withdrew from the division.<sup>2</sup>

On this subject there was much correspondence between Sir James and Lord John's elder brother, afterwards Duke of Bedford. It throws an interesting light on the divergent tendencies that kept the two old colleagues for many years apart, and even opposed.

*From Lord Tavistock*

BUXTON, August 21, 1838.

About the Ballot I have always held the same language, not only to our tenants, but to the tradesmen we employ, and I am persuaded that if other landlords would do the same, and act upon it scrupulously, we should hear very little demand for the Ballot.

There were other points I wished to have spoken to you upon, with respect to your speeches at Carlisle and Pembroke, but I felt that I have no business to lecture you.

<sup>1</sup> *The English Government*, etc. (edn. 1865), p. 228.

<sup>2</sup> See Walpole, i. 299, 340.

Recollect, however, that you drive me from you, if by voting with you and against Ministers, on a Church question or any other, I am to expose my brother to the charge of double dealing.<sup>1</sup>

*To Lord Tavistock*

*August 22, 1838.*

It is impossible not to approve the generous sentiments and just distinction between influence and intimidation which in your speech you so well expressed and defined. To you the task was easy, since it is only a faithful representation of the feelings of your own bosom, and of the principles which habitually guide your conduct, in relation to those who are dependent on your will.

It is more easy, however, to praise the sentiment than to imitate the example; for amidst the excitement of party struggles even good and kind men are betrayed into acts of severity and expressions of anger. Yet because some landlords are intemperate, it does not follow that all votes should be given in secret.

I will not, however, inflict on you an argument against Ballot, in return for a letter which I believe to have been dictated by some lingering remnant of early friendship. Nor will I return to the vindication of particular words which have given you pain.

*From Lord Tavistock*

*August 24, 1838.*

You only do me justice, when you attribute to me those feelings of early friendship and regard by which my last communications with you have been guided, and I cannot feel displeasure at your expressing yourself freely to me in return.

John is placed in a very difficult position with respect to the Ballot question. If he means to exclude from office all who vote against him upon it, he must proscribe about four-fifths of his supporters in the House of

<sup>1</sup> 'Duplicity,' Sir James Graham had said at Carlisle, 'is the characteristic of the Government.' See page 258.

Commons ; if he does not exclude them, he exposes himself to the sort of remarks contained in your letter.

*To Lord Tavistock*

*August 25, 1838.*

I readily admit the difficulty of John Russell's position, and in justice it is necessary to make very large allowances. But no man can say how far he will go who joins with those whose avowed purpose it is by hustling to force him to the utmost length ; and step by step the advance is made till retreat becomes impossible. I know no security in such circumstances but fixed principles and firm adherence to them.

*From Lord Tavistock*

*August 27, 1838.*

Unquestionably, my dear Graham, as a firm adherence to fixed principles is the mark by which I have always endeavoured to steer my own course, so it is that by which I should like to see my political friends guided, in opposition to all considerations of expediency. But I now see pretty clearly that it is not quite so easy to do this in office as it was in opposition, especially when equality of parties makes government difficult and doubtful.

That John may occasionally make concessions to one side or the other for the sake of some practical result is quite true. But be assured he is too much attached to the institutions of the country to change the weakness of his present position for any strength to be derived from putting on Radical livery.

I could say a great deal more to you on this subject which would tend, I think, to make your forebodings less gloomy, so far as John is concerned, though I foresee that he may find it impossible to maintain his ground on the question of Ballot. I do not mean that he will give up his own opinion upon it, but that he will not be able to exclude from office those who vote for it, and if he cannot do that, it necessarily becomes an open question.



*To Lord Tavistock*

*August 29, 1838.*

I return the article containing Mr. Ward's view of the present state of public affairs. It appears to me by no means inaccurate.

Already, in my opinion—I had also believed, in the opinion of the Government of Lord Grey—‘in recasting the representative system that point has been reached beyond which it is impossible to proceed with safety,’ if the rights of property are to be respected, and an aristocracy maintained.

The struggle against the progressive advance of democracy may be more or less protracted, and may end in unforeseen results. But my part was taken at the passing of the Reform Act. I pledged myself to resist the Ballot, short Parliaments, and further extension of the Suffrage, in consideration of the great change which we were then enabled peaceably to effect. Reason, honour, duty, combine to restrain me from assenting directly or indirectly to any of those measures on which the Radicals insist, and which inevitably tend to the destruction of our mixed form of Government. The resistance may be hopeless, but I am bound to make it; and it would not be so desperate, if all who promised to resist were united, and in time opposed a manly front to the open designs of that Radical party which is now stronger in the House of Commons than the Whigs.

If Ballot be made an open question, it will be carried. This mode of treating measures which affect the foundations of our policy weakens every day the main-spring of government itself, and practically gives an advantage to the more violent members of a Cabinet over their more prudent colleagues.

I cannot, however, forget that John Russell was my colleague and my friend; and although it is my misfortune to differ from him widely in the course which he has recently pursued, yet I have witnessed the full display of his superior talents with pleasure; for I still feel the influence of those amiable qualities which have endeared him to his relatives and friends. But I am persuaded that this is the critical juncture which will

decide his future character in history, and his ascendancy for good or evil in the destinies of our country. If he do not resist Ballot to the utmost, I tell you fairly I must think him inexcusable.

I am truly sorry when any expressions that I use give offence either to you or to him. But I cannot speak in public with that reserve and restraint which are perhaps desirable. What I feel warmly I state explicitly, and I fear it is a course which I cannot alter. But to praise any member of your family must always be to me a more easy and grateful task than to censure, and when John Russell is concerned I cannot divest myself of the recollection of our former habits, though, perhaps, if it were not unworthy to complain, I might sometimes imagine that he had forgotten them.

*From Lord Tavistock*

*August 31, 1838.*

You have put the Ballot question very frankly, I admit. I have nothing more to say on that point. But I hope you do not misunderstand me about yourself.

I have no right whatever, and certainly no disposition, to censure the course you have taken in general politics. But I think you have sometimes been led on to say stronger things of your old friends than you would yourself be disposed to justify on calm reflection.

John is one of the last men to resent any fair and open opposition to him or his measures, however strongly expressed or stoutly maintained. But if motives or conduct have been attributed to him at public meetings by one who 'was his colleague and his friend,' he would naturally feel hurt at it, and perhaps a little angry. This may account to you for any change of manner which you think you have perceived in him.

*To Lord Tavistock*

*September 2, 1838.*

I am afraid that our amicable correspondence would degenerate into controversy if I enforced the objections which I might urge against the course pursued by your brother; beginning with the dissolution of the Government

of Lord Grey, and ending with the settlement of the Irish Tithe question to the exclusion of the principle of Appropriation.

Yet in justice to myself, if I opened the defence of the speeches to which you refer, I could not abstain from animadverting on these topics; especially when I remember that the speech at Carlisle was delivered after an election in which the whole influence of the Government had been exerted against me, and given in preference to an avowed advocate of Ballot, and of those very measures which my colleagues with Lord Grey, according to their declarations, sought to avert, when they supported their own measure of Parliamentary Reform.

This discussion with you would be unpleasant, because it is painful unnecessarily to dwell on past transactions which are irrevocable. My hope would rather be that the ground of difference between John Russell and me should henceforth be narrowed, and that in a bold, uncompromising resistance to the dangerous nostrums of the Radicals I might be enabled to support him.

There the matter rested for the time, but a few weeks later the two 'old friends and colleagues' were drawn into more kindly relations by a letter of sympathy written by Sir James on hearing of the unexpected death, after a confinement, of Lady John Russell—a bereavement which so stunned Lord John that at first he thought it impossible to remain in public life.

*From Lord Tavistock*

*November 21, 1838.*

I never like to show private letters except when they appear to me calculated to gratify or soothe the feelings of others, or to do credit in any way to the writer. In this view of the subject I thought I could not do wrong in sending to John the letter I received lately from you, and with the same feeling I now enclose his answer. I can have no objection to your telling Lord Stanley what poor John's sentiments are towards him and you personally—indeed, I wish you would.

I have always regretted that you quitted the neutral ground you occupied to take up a hostile position with the Tories.

[Extract from enclosure]

*Lord John Russell to Lord Tavistock*

*November 19, 1838.*

Graham's letter has pleased me. It were idle to say that such proofs of sympathy from friends are a consolation—there can be none—for the loss of happiness. But when one is warmly engaged in politics, there are times when it appears that all ties of friendship, and even of regard, are broken by party differences, and it is agreeable to find that this is not the case.

Stanley and Graham are two men for whom I shall always retain cordial feelings of attachment. I cannot, when I part from a friend, go to St. James's coffee-house and get a new one. I hanker after my old affections, and am very slow with my new ones.

*To Lord Tavistock*

*NETHERBY, November 23, 1838.*

It must be a cold heart indeed which is not touched by the kindness and the deep tone of unaffected sorrow that pervade your brother's letter. I have been painfully affected by it, and I feel over again the real bitterness of the pang which separated me from John Russell.

The permanent occupation of neutral ground was impossible, when the state of parties is considered, as well as the nature and paramount importance of the question on which we differed.

But so far from desiring to justify my own conduct, I am rather led at this moment to reproach myself for any act or expression which may have given unnecessary pain; since my wish only has been to give effect to my honest opinions—not to wound the friend of my youth, with whom I never exchanged one angry word, and towards whom I never harboured an unkind thought, while for many happy years we lived on terms of intimacy.

But the past is beyond our reach, the future is still

in our power; and even in the heat of debate, and amidst the bitterness of party conflict, I still hope to preserve the remains of friendship, which, thanks to your generous confidence, I now see clearly have survived our differences.

The part which John Russell is about to take will in my judgment be almost decisive of the fate of this country. From circumstances his power for good or evil is immense, and I pray sincerely that his choice may be wisely directed, and that he may be enabled to avert the dangers which I apprehend.

*From Lord Tavistock*

WINDSOR CASTLE, November 28, 1838.

I do not know that your kind letter requires an answer, but I cannot resist the satisfaction of telling you that it has afforded me very sincere pleasure.

That pleasure will be much increased if it turns out that what has passed between us should tend to soften the asperities of political warfare among those who esteem or appreciate each other as private friends.

On such a correspondence the natural comment is 'Blessed are the peacemakers.'

This year it was Graham's own turn to succeed Sir Robert Peel as Lord Rector of Glasgow University. His correspondence sufficiently tells the tale.

*To Lord Stanley*

NETHERBY, October 21, 1838.

Until I received your letter I had heard nothing on the subject of the Glasgow honours, except in a letter from Colquhoun when he mentioned the probability of my being nominated.

I had seen the report of a wish to put forward the Duke of Wellington, and I immediately urged in the strongest manner that my name should be withdrawn, rejoicing in the certainty of the Duke's election without a contest.

I added that from my peculiar position I should be opposed with more than ordinary bitterness.

Moreover, I thought it right to inform him of my deliberate opinion on Church matters in Scotland, which is, I fear, widely different from his own, and from the sentiments of Dr. Chalmers and of the majority in the General Assembly with which he acts.

The claim for Church extension by the aid of the public purse, and the denial of the rights of lay patronage in defiance of the judgment of the civil tribunals, appear to me two propositions for which no man and no party can contend with consistency or propriety at the same time. The one is founded on connection with the State, the other is tantamount to a renunciation of this connection.

Here is the General Assembly labouring to establish the voluntary principle, and the free election of pastors by the congregation, in opposition to the claims of the patrons, who, when unjustly deprived of their patronage, will become the enemies of the Kirk, and by no means indisposed to appropriate the stipends.

The inevitable effect will be to ally the General Assembly with the Radicals and the Voluntaries, and to alienate from the Kirk the Conservative aristocracy.

When I reflect on the certain tendency of the course on which the General Assembly is now entering, and when I foresee that, unless they stop short in this career, they will surrender the key of our strength in Scotland, ruin the Kirk itself, and seriously endanger the Church of England, I feel that I am ill fitted to bear a high office in a University closely connected with the existing authorities of the Kirk, especially at a time when these questions will be discussed in Parliament, and when I cannot conceal the strong opinion which I entertain.

I have stated this broadly to Colquhoun ; and Chalmers and his friends, if they are still willing to support me, must admit that 'there is no mistake.'

This Church question renders it very doubtful whether a member of our party, in either House of Parliament, ought to be hampered with it ; since if chosen he will find it equally difficult to speak or to be silent, on a question which agitates Scotland to its centre.

*November 4.*—I have eased my conscience by making my principal friends in the University aware of my strong opinion on the Patronage question as it now stands. Of course I shall not unnecessarily obtrude that opinion in public, but when called on to express it I shall not mince the matter.

I am told that this is no objection, and that probably I shall be elected.

*From Lord Stanley*

KNOWSLEY, *November 8, 1838.*

You were quite right in explaining fully to Colquhoun your views on the pretensions of the General Assembly. I entirely agree with you, and I entertain a hope that the report which Colquhoun and others would make of the feeling generally among English Churchmen and Conservatives will have the effect of moderating their demands and lowering their tone.

At all events your election after a frank avowal of your views will be a significant indication to them, and I do not see that it need in any way hamper your proceedings in Parliament.

*To Lord Stanley*

*November 18.*—You will probably have heard of the success of my election at Glasgow, where I defeated the Duke of Sussex by a considerable majority, quite as large as that of Peel over the Attorney-General.

If this can be taken as an index of the feeling of the middle classes in Scotland, it is very consolatory. At all events it is a proof that the rising youth entertains sound and decided principles; and when they prefer a country gentleman to the Queen's favoured uncle, they rescue their countrymen from the charge of time-serving sycophancy and of interested calculation.

I have declined an invitation from the Peel Club in the University, on the ground that, as Lord Rectors are identified with the entire body, I ought not, by marking a preference to an exclusive portion—even though it be the majority that carried my election—to perpetuate

angry differences, and thereby justly to offend the feelings of the minority.

I have decided also that I will not accept an invitation to a public dinner in Edinburgh. . . . The old High Tory leaven prevails there, and I should not like to figure alone in such company, especially in a place where former friends abound, to whom I am now decidedly opposed, but to whom I should be sorry to evince any needless disrespect or unkindness. . . . But the reason which I have given for urging the suppression of the invitation is my resolution at this juncture of great public difficulty, when mighty interests are trembling in the balance, not prematurely to commit myself and friends by any after-dinner speech.

The danger of the crisis every day becomes more apparent. An explosion must follow the arrival of Durham. The hope of a rupture between the Radicals and the Whigs is more probable than at any period since the dissolution of Lord Grey's Government, and in such circumstances 'our strength is to sit still'—to avoid every ground of needless offence to the adversary, to keep our ranks open to receive every new recruit without examining his pass-ticket too closely, and until the meeting of Parliament to keep ourselves unpledged as far as possible, ready to avail ourselves of any accession of strength, and to pour our united force on the weakest point in the line of the enemy.

A great political dinner is subversive of this policy. It would be an advantage to our adversaries, and none to us, since the substantial triumph is the Glasgow election.

Next month Sir James delivered his Rectorial address, and was presented with the freedom of the city.

*To Lord Stanley*

NETHERBY, December 28, 1838.

The Glasgow affair was successful, and I am willing to hope that I was enabled to do some good.

The majority in the Council is an undeniable proof of the improved tone of the public mind. On Sunday I accompanied Dr. Chalmers to one of his new Subdivision



Churches in the parish of St. John's, where he formerly officiated. It is the Gallowgate of Glasgow, answering to the St. Giles of London. He preached one of his most impressive sermons to a congregation of the poorest labourers, and as I walked with him through a crowd, both on entering and leaving the church, signs of attachment not to be mistaken were evinced towards him, and of respect, if not of goodwill, towards me.

Compliments upon the election and upon the speeches poured in from friends.

*From Lord Stanley*

I hasten to congratulate you upon the brilliant success which has attended you in Glasgow, as I learn by a letter this morning received from Mr. Sandford. He speaks in high terms of praise of your address to the students.

Your reception has been most gratifying, and strongly evinces the marked tendency towards Conservatism, not in the University only, but in the City also. The strongest symptom of all, and on that account the most gratifying, is the Freedom voted to you by the Corporation. It was refused, I believe, to Peel, and certainly to me.

*From Lord Wharncliffe*

We have all to thank you for a most excellent exposition of our views and principles, and a most unanswerable defence of your own consistency.

*From Sir Henry Hardinge*

I delighted in your triumph over the Royal Radical of Kensington. I know it was a bitter disappointment to the Whig party, who had securely anticipated the pleasure of mortifying you by a defeat; and I read your speeches, particularly the political one, so justly and keenly dissecting the Government, as a masterpiece of vigorous yet discreet cutting up. There was but one opinion of its merits at Drayton.

*From Sir Robert Peel**January 16, 1839*

I watched your progress in Glasgow, and rejoiced in your complete success, with a double interest and satisfaction, both from my recent connection with the University, and from the sincere pleasure which any event redounding to your honour and reputation must give me as an attached friend.

Nothing could be more judicious than the course you pursued, more able than the addresses, literary and political, you were called upon to deliver, more cordial and gratifying than your reception.

This expression on Peel's part of personal attachment to Graham evoked an affectionate answer.

*January 30, 1839.*—I am more gratified by the warm kindness of your letter than even by the praise you bestow on my efforts at Glasgow. I value more highly than I can express your friendship and good opinion, and amidst the change and dangers which surround us on every side I rejoice in the conviction that I possess your esteem.

Sir James goes on to censure Whig finance, especially a rumoured conversion of the party to the Radical scheme of a fixed duty.

Every day throws fresh light on the intention of the Government to raise the question of Corn Laws. As at present advised, I do not think we can refuse to join issue in defence of the present law. I know not whether the scale of duties may be perfect, but the principle of a vanishing scale is the vital point, and no 'fixed duty' would be of any avail when prices from scarcity become high.

The tax on the import of raw cotton is indefensible, and a substitute for this tax ought to be provided, in which land should bear its share.

As regarded tactics for the Conservative party Graham was at one with Peel.

My opinion is in exact accordance with yours as to the regulating principle of our conduct in Opposition. Without regard to possible consequences, we must resist every proposal which in our conscience we consider to be dangerous ; we ought to be most careful in originating any motion intended to displace Ministers ; we should steadily avoid all concert and private communication with the Radicals. But, let the motion come from what quarter it may, we must avoid a single vote which implies the least confidence in the men entrusted by the Queen with the Government.

With a dissolution in view, the grand object is to keep the Conservative party united and in good heart. Any marked fear of undertaking the government, or any wish evinced to shelter the present Administration, would therefore be fatal. But on the other hand any eagerness to seize power would be a most dangerous indiscretion. The course lies between the two shoals. It is a narrow one, but under your guidance I am not afraid, if the crew are under command, and will implicitly obey you.

On New Year's Day, 1839, the murder of Lord Norbury, in broad daylight, walking with his steward on his own estate, had caused a crisis in Ireland. An Orange leader, Lord Roden, moved for a Committee 'to inquire into the state of Ireland since 1835,' that is, since the formation of the Melbourne Government. Ministers naturally treated this as a vote of censure, but the Lords appointed the Committee, whereupon the Government promptly appealed to the Commons.

*To Lord Stanley*

HOUSE OF COMMONS, *March 22, 1839.*

John Russell has just announced to the House that, in consequence of the appointment of the Committee on

the state of Ireland in the Lords last night, he himself will take the sense of this House on the principles which have guided the Irish Government since the year 1835.

He says that Melbourne only holds office while he retains the confidence of the Commons, and if their Irish policy be condemned by the Commons they are ready to relinquish the responsibility of government.

The rumour was general that they intended to resign, but after a long deliberation they have adopted this other alternative. It is new for a Minister to move a vote of confidence in himself, and it will be for us to consider whether we can allow the question to be limited to Ireland—whether we ought not to move our amendment extending the question of confidence to the state of the nation.

Peel desires me to say he would have written to you if I had not done so.

From Melbourne's tone last night I did believe that they would have resigned without a struggle in the Commons.

*March 26.*—Peel will come to no decision until you and the Duke return to London. It is becoming every hour more doubtful whether the Radicals will come to the rescue. It will be retributive justice with a vengeance if a vote of confidence sought gratuitously by the Ministers should end in a declaration of the want of it on the part of the House of Commons ; yet the risk is imminent that this will be their fate.

The vote was taken solely on the conduct of the Irish Government, and on that question the Radicals sustained the Whigs in power. But in the debate one of their speakers, Mr. Leader, declared that, were a general vote of want of confidence proposed, more than ten or twelve Radicals would support it, and so bring the Government to an end.

A few weeks later this was put to the test. On a Bill which they brought in to suspend for five years the Constitution of Jamaica ten Radicals voted against

them, and Lord Melbourne and his Cabinet, being left with a majority of only five, resigned.

These Radicals appear to have voted not solely on the merits of the Jamaica question. They were alienated partly by an anti-Radical manifesto of Lord John Russell. In a pamphlet published a few days before the division Lord John had written :

In introducing the Reform Act the organs of the Government declared in the name of that Government that it was intended as the permanent settlement of a great constitutional question. If, after these declarations, any member of Lord Grey's Cabinet were to propose to begin the whole question anew, the obvious remark would be, ' You have either so egregiously deceived us that we cannot trust to your public engagements, or you have so blindly deceived yourself that we cannot believe in the solidity of your new scheme.' <sup>1</sup>

Such language might have been expected rather from Sir James Graham. But ten years were yet to pass before Lord John himself advised the Queen to moot the question of a second Reform Bill.

<sup>1</sup> Walpole, i. 332.

## CHAPTER XIII

1839-41

Peel accepts Office—The Queen refuses to allow any Change of the Ladies of the Household—Peel resigns—Melbourne resumes Office—Declares against Radicals—Wellington supports Melbourne—Graham remonstrates—Wellington opposes Peel on Privilege—On Irish Municipal Reform—On Canada—The Duke yields—Whigs beaten on Sugar—On Confidence—At General Election—Melbourne finally resigns.

MELBOURNE having resigned, the young Queen, on his advice, sent for Wellington, and an hour later for Peel, who accepted office as Prime Minister, and the same evening (May 8) assembled at his house those whom he proposed to name to Her Majesty for the principal offices of State. The Foreign Secretary was to be Wellington, the Lord Chancellor Lyndhurst, the Colonial Secretary Stanley, the Home Secretary Graham.

What passed next day with the Queen is recorded in a statement sent to her by Sir Robert Peel.<sup>1</sup>

He had expressed his earnest desire, with Her Majesty's sanction, so to constitute the Household that Ministers might have the advantage of a public demonstration of her full support and confidence, and at the same time, as far as possible consistently with that demonstration, each appointment should be entirely acceptable to Her Majesty's feelings. But he now wrote as regards the Ladies :

<sup>1</sup> *Peel Papers*, ii. 396.

Your Majesty was pleased to remark that . . . it was your Majesty's pleasure that the whole should continue as at present, without any change.

The Duke of Wellington subsequently understood also that this was your Majesty's determination, and concurred with Sir Robert Peel in opinion that Sir Robert should have permission to make some changes in that part of your Majesty's household which your Majesty resolved on maintaining entirely without change.

As the Queen, supported by her ex-Ministers, persisted in rejecting this advice, Peel resigned, and the Whigs returned to office.

Mr. Greville gives a lively account of the late Whig Cabinet reassembled to consider an appeal to Melbourne from the Queen :

'Do not fear,' she writes, 'that I was not calm and composed. They wanted to deprive me of my Ladies, and I suppose they would deprive me next of my dressers and my housemaids ; they wished to treat me like a girl, but I will show them that I am Queen of England.'

Ministers consulted, and a suggestion was thrown out that Lady Normanby (and some other, I think) should resign. This was overruled, as was a proposition of John Russell's, that the Queen should require from Peel a precise statement of the extent of his demands. The end was, that a letter was composed for her, in which she simply declined to place the Ladies of her Household at Peel's discretion. Peel wrote an answer resigning his commission, recapitulating everything that had passed.

When Parliament met again, the pressure on the Whig Government from Radicals and Irish recommenced, and three remarkable speeches were made in the House of Lords.

First, Melbourne, in reply to questions as to intended concessions to Radical supporters, was understood to answer that he would not for any party purpose sacrifice

his own convictions. Brougham followed with a masterly vindication of the principles on which the Queen ought to have been advised to grant the desired mark of confidence in her new Ministers, and added to this a pitiless attack on Melbourne. Lastly, Wellington, accepting Melbourne's assurances that he would not be driven from moderate Whig principles, announced that on those terms Melbourne might count on parliamentary support.

This last speech much disturbed the minds of the Conservative party, and led to correspondence between Sir James Graham and the Duke's chief confidant, Mr. Charles Arbuthnot.

*To Mr. Arbuthnot*

June 1, 1839.

You will have read the report of the debate last night. I was present, and the Duke of Wellington's speech is fairly given in *The Times*. It has produced a great effect, and given rise to doubts among our friends.

It was natural that the Duke should be anxious to disclaim all alliance with Brougham, but he probably went further than he intended.

He declared his opinion that Melbourne was not justified in resigning by the vote on the Jamaica Bill. This declaration, from such an authority, gives to the Ministers an immense advantage.

This being the Duke's opinion, once declared, it is irrevocable, and had the matter rested here I should not have written. But at the end of his speech the Duke told Melbourne emphatically that if he did his duty in Parliament as well as out of it, he might trust to the good sense of Parliament and of the people for support.

Now this rests on the assumption that Melbourne will make an honest stand, and resist the demands of the Radicals and the influence of O'Connell. But Melbourne gave no such assurance.

It is asked then, What are the intentions of the Duke? Is he prepared to grant to Ministers an amnesty for the



past ? Does he wish to avert their overthrow ? These are the doubts which fill the mind of every man who has read the speech.

I know not whether he may be disposed to remove this misapprehension, and to take an early opportunity of marking his distrust of the vague assurances of the Government. But it is right that I should tell you how matters stand, and what is the general impression left by the debate.

*From Mr. Arbutknot*

A thousand thanks for your letter. I am in despair. I have not known what to do.

I resolved on writing to the Duke in a way that would not hurt him, and still would show him that great evil would arise from what he has done. In very great confidence I send you a copy of what I have just been writing to him. Tell me frankly whether you think I could have said more. Intimate as I am with him, I must ever bear in mind who and what he is.

*June 5.*—I am quite sure that I judged rightly in not going to London. I knew that by writing to the Duke calmly I could have greater effect than by speaking to him. He was deeply wounded by the censures which he tells me have been heaped upon him.

He had dreaded lest Lord Melbourne should have to give way and retire before his more Radical colleagues ; and this it was which induced him to speak as he did. I only hope that no ill-humour will be shown to him by the party, and all will soon be right again.

*June 6.*—I am rejoiced that you called on the Duke. Believe me when I tell you that, if you like to cultivate him, you should not fail to call on him whenever you have anything to communicate. He always likes to hear the news from a person whose position would enable him to know what is passing.

I really believe, from what you now tell me, that the language the Duke held gave some support to Melbourne against some of his more Radical associates ; and if this be so, great good may arise from it.

Peel's was a most masterly performance. A bulldog

could not pin more closely than he did when nailing Lord John to his Conservatism.

The party were recovering their spirits.

*To Lord Stanley*

HOUSE OF COMMONS, *June 5, 1839.*

Never was a Government so knocked about as this has been in the last week, and next week we probably shall beat them both on the Jamaica and Canada questions.

I saw the Duke this morning. He is very proud of his foresight that Melbourne would not give way, in which opinion he stood almost alone. He was in high spirits, and spoke confidently of a favourable turn in affairs, and when I congratulated him on his judgment he said, 'I never mind what I see; my life has been passed in finding out what they are doing on the other side of the hill.'

His secret information on this occasion has not failed him.

*To Mr. Arbuthnot*

*August 7, 1839.*

I waited on the Duke this morning to bid him farewell. He was very kind, remarkably well, and in high force. He was pleased with the triumphant debate of last night, which has placed our Irish policy on a rock.

I never remember our party in better humour, or more united. The firm and decided measures of hostility adopted by the Duke, tempered with his never-failing prudence, have greatly contributed to produce this happy result.

In the autumn these letters passed :

*From Lord Stanley*

*October 2.*—What do you say to all the political chop-pings and changings? I doubt their strengthening the Government.

Macaulay is quite out of his element as Secretary at

War. . . . Ebrington is giving very general satisfaction in Ireland, acting up to his profession of administering the law as he finds it, and exhibiting the most marked contrast to Normanby. He is accordingly taken up by the Conservatives, who will pay him great court. I am glad of it, for with all his violence of political opinion he is a thoroughly honest, conscientious, and religious man. He and John Russell will be, I think, the only two of the present Government who will have increased their reputation by holding office.

*To Lord Stanley*

October 6, 1839.

I quite agree in your view of recent changes and of public men. Among the Government John Russell is the only man of first-rate abilities, and his talents and many virtues are debased by his love of party, which is stronger than his principles. The admission of Macaulay into the Cabinet after his Edinburgh speech is the deliberate adoption of ballot, shorter Parliaments, and extended suffrage, which would seem hardly consistent with the letter [of Lord John Russell] to Stroud.

*November 25.*—Lord Grey, I am assured, expresses his hostility to the Government in unmeasured terms, but he has no following in the Commons. Least of all can he command his own son [Lord Howick], who on principle is more radical than the majority of the Cabinet.

The majority the Ministers can command is very small, but I consider it sure. The Radicals, when it comes to a pinch, to a man will rally round them. O'Connell will stand by them to the last extremity, and the Queen almost identifies their existence with her own.

On our side also there are some serious difficulties. The declining health of the Duke, our position in the House of Lords when he is gone, the hostility of the Queen, but above all the mad impatience and indiscretion of a large mass of the party, are more than enough to counteract all the caution of Peel. In such circumstances it will be most difficult to keep the party together. Yet in the country it is gaining strength.

*From Mr. Arbuthnot*

STRATHFIELDSAYE, December 10, 1839.

I gave the Duke your letter to read. He said that all your observations were weighty ones, and required serious and great consideration.

With regard to the provision for Prince Albert, the Duke said, on reading your letter, that we must look well to precedents, and that we must do that which is right and our duty, and this without considering whether the arrangement to be made would appear to suit our own political interests. In this, as in all else, he looks solely to what is right, and to the justice of the case.

I shall leave the Duke without the slightest apprehension for his health; but for the country's sake I know not a moment in his life when the preservation of it was so important as now.

So said Lord Spencer to me the other day. He was with me when I heard of the Duke's illness. He said he could not pretend to feel as I did, as he was not a personal friend; but that he dreaded any evil happening to him, as he was sure that, even when triumphing at the head of the British army, his life was not so valuable, and so much to be prayed for, as in these days.

*To Mr. Arbuthnot*

NETHERBY, December 13, 1839.

I am delighted by your account of the Duke's health, and no less by your assurance that at last he is willing to take some care.

He is prodigal of that life which all except himself regard as invaluable, and I quite agree with Lord Spencer—though from him the sentiment is strange—that on the eve of Waterloo the nation had not a deeper interest in the life of the Duke of Wellington than at the present eventful moment.

Higher praise was never bestowed on any man than in the words with which you describe the constant motives of his public conduct—'he looks solely to what is right, and to the justice of the case.'

December 14.—The present position of the Church in

Ireland is a signal triumph of honest opposition to iniquitous designs, and is not only an example of the wisdom and firmness of Peel and the Duke, but an encouragement to persevere under adverse circumstances in the steady course which conscience, sense of right, and sound principles point out as the course of duty.

As the time drew near for Parliament to meet, the Conservative party became more impatient for action, and Peel took counsel in the first instance with four of his chief colleagues. He wrote to the Duke of Wellington, and in the strictest confidence to Stanley, Graham, and Goulburn. Wellington answered bluntly :

I don't think it is desirable that you should have at this moment the option even of taking charge of the Government. I have always been ready—by some thought too ready—to serve the Crown if my services should be called for, and should be necessary. But there is a great difference between that readiness and volunteering in a course of measures which are to have for their object to force the Administration to resign, and the Sovereign to call for the services of others, myself included.

Of the other three who were consulted Peel writes :

I think Stanley's opinions are very much in concurrence with those expressed by the Duke. Graham is more inclined, on account of the position of the party, to hostile measures. I have not heard from Goulburn.

Graham's answer to Peel has been published.<sup>1</sup> His reasons for differing from the Duke and Stanley show his independence.

*To Lord Stanley*

NETHERBY, December 24, 1839.

I return the Duke of Wellington's letter, and I am disposed at all times to submit to his superior judgment,

<sup>1</sup> *Peel Papers*, ii. 420.

and to rely on his sagacity and foresight, which are almost intuitive.

I remember, however, his age and growing infirmities ; I reflect on his fame now well established, to which passing success in present political conflicts can add but little, but from which a signal failure might detract, and I cannot wonder that extreme caution should mark his counsels. Though it cannot truly be said, *timide gelideque ministrat*, yet it is natural that he should endeavour to avoid the heavy burden of responsible power.

He enumerates many difficulties which beset the future government of this country. They are not overstated ; some even are omitted. But the question is, Shall we endeavour to encounter and overcome them ? or shall we leave them to be adjusted by our adversaries, in a sense opposite to our views of public safety ?

The possession of power in our popular form of government is the sole object of political warfare. The means used to attain this end will vary in the circumstances, and must be guided by discretion. But it is not in human nature that a great party can be kept together by the abstract hope of checking the misconduct of a bad Administration, in the absence of the fixed purpose of displacing them.

If this be true in ordinary circumstances, think of an Opposition composed of 318 members, good men and true, acknowledging one leader, with a large majority in the Lords, and the certainty of a majority in the Commons on a dissolution ; and say whether it be possible to restrain them from measuring their strength with a weak and tottering Administration, sunk in public esteem, relying on Court intrigue, broken by internal divisions, bound together only by the patronage of office, and by certain common designs which we denounce as most dangerous to the State.

Let it once transpire that you are afraid to take the Government, and your party is gone.

On the other hand, if you succeed in the first instance, and on your accession to power the nation fails to support you, or your party, from jealousies and discontent, should fall away, then you will fall indeed, but fall after an

honest struggle to avert the most imminent danger. And there is in reserve the happier chance that—by the turn of events which we call fortunate, but which is often the ordained reward of the faithful discharge of duty—you may greatly succeed, and by the blessing of Providence rescue this country from the dangers which threaten and surround it.

In the effort to encounter these dangers, foreign and domestic, the aid of the Duke is of inestimable value ; his name is a tower of strength ; and in fixing the time when the effort should be made I cannot overlook the consideration that we cannot calculate on the long possession of this great advantage.

No delay can mitigate the hostility of the Crown, which can only be subdued by a decided majority in the Commons.

My belief is that the country is ready for the change, and will support it.

I have therefore given my opinion to Peel, that a substantive motion of want of confidence should be made, in the Commons, but not in the Lords.

In returning Graham's letter to Sir Robert Peel, the Duke of Wellington remarks :

*January 3.*—The calculations of gain upon a dissolution are very promising, but nobody can rely upon them. Then we have to meet all these difficulties in the service of a Sovereign who is herself the head of the party whose business it will be to aggravate them. If we must do it, let us lay our shoulders to the wheel. There is no man who will work more willingly or risk more than myself. But let us act with our eyes open, and see the difficulties and dangers for ourselves and for the country.

Sir James Graham very reasonably asks, What shall we gain by delay ? We have gained much since 1834-5. I contend that we shall continue to gain. We shall not accelerate the moment of revolution and destruction, as we certainly shall if we are in too great a hurry to seize the administration of affairs.

During the whole year 1840 the Conservative party was in danger of disruption from differences on three burning questions.

1. On Parliamentary Privilege, in an action brought against Messrs. Hansard for publishing libellous matter, the Court of Queen's Bench had given judgment against Hansard, setting aside the plea that Parliament had authorised the publication. The Whig party, in maintaining the authority of Parliament, were vigorously supported by Sir Robert Peel. The Duke of Wellington and most of the Tories took the other side.

2. On Irish Municipal Reform Peel desired a compromise; Wellington opposed it.

3. On the Union of the two Canadas Peel and the Duke were of conflicting opinions.

The letters that follow relate chiefly to these three and other questions in their bearing on party prospects. Graham, it will be seen, worked for conciliation.

*To Mr. Arbuthnot*

*January 26, 1840.*

No one regrets more deeply than I do the evil which will probably flow from our fatal disunion on the Privilege question. But, thinking Peel right in the main, and having voted with him in 1837 and last year, I was bound to support him.

It certainly is most painful to differ from the Duke, and to be driven into concert with Radicals. If honestly we could have taken the opposite course, we should have destroyed the [Whig] Administration.

I called on the Duke yesterday, but, knowing his strong feeling on the Privilege question, I consulted him only on the proposed grant to Prince Albert. He was very kind and explicit, and I found with pleasure that on this subject Peel had taken his advice.

I am willing to believe that the votes on this and on Sir John Buller's motion [of want of confidence] will



restore unanimity to the party. We propose to vote £30,000 a year to Prince Albert for life, and £50,000 a year in the event of his surviving the Queen and being the father of Royal issue. I think this a fair and ample settlement, and I believe that we shall carry it.

What course the Government will take if beaten I cannot foretell. My belief is that they will submit to the defeat, and accept the reduced allowance, leaving the wound to rankle in the Royal breast.

On the question of confidence the Government had a majority of twenty-one. Sir James Graham remarks :

*February 3.*—The declarations of Lord Howick and Mr. Ward amply compensate us for the division.

Lord Howick announces that he has been for some time aware of the Radical tendency of the Government, which, as far as the constitution of the House of Commons is concerned, he is determined to resist ; and perhaps this warning may produce some effect on moderate Whigs.

Mr. Ward is still more explicit, and says that our facts are his facts, our objections his 'vindication,' what we dread he desires, what we seek to avert he labours to accomplish ; Ballot and democratic changes are the object, open questions the certain means, and on these grounds his support is given to the Ministers. This cannot be misunderstood.

The conclusion of Peel's speech, in which he referred to the character of the Duke, our tower of strength, and to the honour of his long and intimate connection with him, was beautifully executed, and has left a good impression. Our only chance of safety lies in the cordial union of such men.

But the conflict of opinion continued. Graham writes (Feb. 8) to Stanley :

We had a very bad night on Privilege. Johnny, at some risk of the displeasure of his own party, opened the door of legislation, threw over his Solicitor-General, and offered an accommodation. Peel, smarting under a taunt of Tom Duncombe, was intemperate, restated eagerly his strong opinions, took Johnny's party out of his hands,

to the mortal offence of his own followers, rejected an enacting law, and said he would be satisfied with no legislation which was not declaratory. Though in the House of Commons his speech was popular, yet it was most imprudent, and, with the known sentiments of the Duke of Wellington, has rendered an adjustment with the Lords almost impracticable.

I am endeavouring, with Follett, to cook up something between an enacting and a declaratory Bill, but there is so much angry feeling arising that I almost despair of any arrangement, and the Ministers evidently feel that they have a wedge by which they will split the Conservative party.

It is curious that Peel, who often is languid in his attack on his adversaries, puts forth superior energy and strength when he combats his followers.

I wish you were here, that I might have the pleasure of consulting my old, my constant, and my kindest friend, in a scene of difficulty and confusion from which I augur ill.

On the provision for Prince Albert the Government were beaten (Feb. 27) by no less than 104 votes.

*To Mr. Arbuthnot*

*February 28.*—The events of last night were decisive, and in ordinary times would lead to some marked result. As it is, Ministers will stagger on till the Mutiny Acts are passed, then allow the Corn Law motion to be brought forward, declare as a Cabinet for a fixed duty, and being beaten dissolve.

I never saw John Russell so angry as it was my misfortune to make him. He made a bitter attack in return, but Peel covered me most generously.

The wrath of Russell was caused by an unexpected onslaught made by Graham on the administration of the Exchequer by a former colleague. Resenting this, Lord John allowed himself to say :

I should have thought that the right hon. gentleman

would have recollected with some gratitude the able, zealous, and eloquent speeches of Mr. Spring Rice, made in defence of Lord Grey's Government, when the right hon. gentleman so often shrank from his duty in maintaining its acts.

Sir Robert Peel replied :

The noble Lord says that my right hon. friend, when one of his colleagues, shrank from his duty.

Is there the slightest foundation for the assertion ? Who was selected to assist the noble Lord in the preparation of the Reform Bill ? Will the noble Lord deny the services rendered on that occasion ? Does he deny the services of my right hon. friend as First Lord of the Admiralty ? 'No,' says the noble Lord. Who reformed the civil department of the Navy ? Who effected the great saving in the naval estimates during the Government of Lord Grey ? Can you deny that the whole credit of it was due to my right hon. friend ? Why, this very debate should recall some of his services. Who reformed the office of the Exchequer ? Who was it that, burdened with the laborious office of First Lord of the Admiralty, found time to extend his inquiry into the whole department to which I have referred ? Who altered the regulations of pensions granted for civil services ?

It was my right hon. friend, whom the noble Lord, forgetting his past acknowledgment of such public services, has charged with shrinking from his duty.

On the question of Privilege the Duke gave way.

*To Lord Stanley*

HOUSE OF COMMONS, *April* 13, 1840.

We got out of our Privilege difficulty in the Lords to admiration. The Duke behaved generously and well. He had a majority present ready to vote for an amendment, which would have been fatal ; but he exercised a wise discretion, and the Bill will now pass.

Out of one embarrassment, however, the Conservative

party fell into another, arising similarly from conflict of judgment between Wellington and Peel.

*To Mr. Arbuthnot*

*June 1, 1840.*

I foresee very serious difficulty with regard to the Canada Bill. It is a dangerous measure, and the Duke anticipates such fatal consequences from its adoption that he cannot reconcile acquiescence in it to his sense of duty. On the other hand, Peel, while he admits the danger, is disposed to leave the whole weight of responsibility on the Government, and not to reject their measure while as an Opposition we are unable to give effect to a better policy of our own.

On the Irish Bill also there is some difficulty; but this does not press so immediately. With respect to Canada, if the Duke and Peel should appear before the public not acting in unison on a matter of such primary importance, the worst effect will be produced.

Peel's reasons for supporting the Union of the Canadas are given in a memorandum dated July 6, 1840,<sup>1</sup> and closing thus :

I see less danger in the measure of Union, proposed as it has been by the Crown after ample notice, and assented to by all the Colonial authorities, than in the rejection or delay of the measure.

I cannot expect others to adopt my opinions, but I adhere to my own, and I cannot undertake any responsibility, should views adverse to mine prevail.

On the other hand, Arbuthnot had written :

*APSLEY HOUSE, June 10.*

Upon Canada the Duke was positive and decided. He feels that the House of Lords has the power to throw out the Bill and prevent the Union, and, foreseeing what would be in his opinion the certain consequence, namely, a separation from the mother country, he would not, at the close of a life passed with honour, take upon himself

<sup>1</sup> *Peel Papers*, ii. 438.

the grave responsibility of inflicting a fatal blow on England, when he knows that he has the power to prevent it.

If the Canada Bill for the Union of the Provinces should be sent up to the House of Lords, the Duke will do his utmost to have it thrown out.

*June 12.*—Peel was as personally cordial as [in regard] to business he was impracticable. I tried to get him to call on the Duke, but could not prevail. I told him that if he and the Duke met, I felt confident that all would go right. But I am sorry to find that he is resolved to support the Union of the Canadas.

*June 13.*—It has been of use to let the Duke know what the leaders thought and wished, and this I have done in several conversations. He has never actually said that he should take the course expected of him, but I wrote to Lord Aberdeen that he had better not talk to the Duke, as he had said to me he would, but leave it all now to the workings of his own mind.

I saw him go to the Lords without my having the slightest uneasiness, and Lord Lyndhurst says a more perfect or a more adroit speech never was made.

On the second reading the Duke would not support the Bill, yet advised the Lords to let it go into Committee ; on the third reading, while counselling the House to send it to the Commons 'for further consideration,' he himself recorded a protest. His twenty-seven reasons against the Union may be read in the Journals of the Lords.

On this sacrifice of the Duke's own judgment to party interests Lord Ellenborough writes :

*July 5.*—We are to have a meeting of all the peers at Apsley House, and the Duke will fairly place the situation of the party before them.

Upon my word, we serve the noblest leader that ever led any army or a party to victory. The manner in which he puts aside all his own personal feelings for the good of the party is most admirable. I wish you could see him and hear him when amongst friends he speaks of the public and sacrifices himself.

To be in the habit of communicating confidentially with him is of more real use to a public man, and tends more to enlarge his views, and to purify his motives, and to improve his nature, than all the writings of all philosophers, and all the preachings of all divines. This has ever been my opinion, but I never felt its truth so deeply as to-day.

Among Sir James Graham's papers is also a note from Sir Robert Peel, dated July 5, and docketed by Graham, 'The Duke has yielded.' Sir Robert wrote :

I never varied in my opinion, that the Duke would not, and could not, when he looked into the real state of the case, reject the Canada Bill.

This note Graham sent on to Stanley, who replied :

*July 6.*—So we are fairly afloat again, as I thought we should be ! But the operation will not be a pleasant one for the Peers. Peel knew his man.

The party was saved from a conflict between Lords and Commons, and even Arbuthnot rejoiced.

*July 8.*—I must congratulate you upon the turn which affairs have taken. I relied upon the Duke's determination not to do anything which would break up the party, and upon his good management. I am told that his address to the Peers assembled at Apsley House was admirable, and had the most perfect success.

Still I cannot help groaning for the carrying of the Union Bill. The Duke has been quite right [in yielding], but I fear that we shall lose the Canadas.

Graham sent a soothing reply.

*To Mr. Arbuthnot*

*July 9, 1840.*

Lord Stanley and I have been treated so kindly and confidentially both by the Duke and Peel that it is in a

peculiar degree painful to us to be driven to take a decisive part where these two leaders differ.

Our constant and cordial desire has ever been to promote the union of the great party which admitted us so generously into its ranks ; and, though we may have erred in judgment, we never took a step designedly inconsistent with the deference due to the leaders whom we found at the head of the party.

No passing events of the day can change my fixed admiration of the character of the Duke, or diminish my sense of his greatness, or my gratitude for his kindness. No sane man could contemplate a Conservative Government without the Duke.

*From Mr. Arbuthnot*

*July 12.*—I can only assure you and Lord Stanley that you cannot gratify the Duke more than by going to him upon all necessary occasions ; and the benefit that you would confer on the party would be incalculable, as difficulties would then be prevented. I would wish you to impress this on Lord Stanley.

He may be pleased with the Duke's frankness, but he can only know from a third person how much the Duke has always been pleased with the corresponding quality in him. I have often told you the same with regard to yourself.

As to your having joined our party, I am sure that I am speaking the sentiments of every one when I say that you two have done great honour to us ; and that strange indeed would it have been if there had not been the greatest possible anxiety to amalgamate heart and soul with you. I have known upon many occasions that Lord Stanley and you were the persons chiefly consulted by Peel ; and upon all occasions I have seen that the Duke had the same feeling.

P.S.—The Duke records his protest to-morrow night. It is a very strong and good one in my opinion. There can be no harm in his recording his opinions, though he don't act upon them.

*September 6.*—I showed your letter to the Duke. I have been walking with him since, and he said to me,

'I suppose that at the end Sir James was alluding to me and Peel.'

I replied, 'Certainly he was'; upon which he observed that 'there never had been the slightest ill humour between them; upon two occasions he had thought himself right, and Peel had thought the same of his own opinions; he had, however, upon each occasion made the sacrifice of his way of thinking, as he would have done anything rather than injure the party; as for himself, he knew he must be always in harness, and he should be always ready to serve his country, though he felt it would be better that he should not take office, but support Peel's Government, and be of all the use to it he could, in Parliament and out of it.'

I told him that I was old enough to have known well what happened when Mr. Pitt went out and was succeeded by Mr. Addington. Mr. Pitt promised to give to the new Government every aid that he could; but this did not last six months.

*September 7.*—It was while walking on the ramparts that the Duke explained how he felt towards Peel; and in the evening, when we were alone, he resumed the subject.

He expressed himself as having the most perfect goodwill for Peel. He said that not the smallest altercation had ever arisen between them; he regretted very much that they had differed on important points of policy; but the whole drift of his observations went to prove that, if we should be called upon to form a Government, he would very readily become a member of the Cabinet.

In October Graham received a reassuring confidential letter from Lord Aberdeen, to whom he had communicated his anxieties as to the lack of personal intercourse between the two leaders.

The truth is [says Lord Aberdeen] that their characters and dispositions are so different, there is little sympathy between them. This was equally apparent when in office, and acting together with the utmost cordiality. You must not imagine that any present difference of



opinion with respect to particular measures would exercise the slightest influence on their conduct, in the event of their being called upon to act together for the public service.

Injudicious friends may embitter feelings on both sides for the moment ; but Peel's real admiration for the Duke is unbounded, and the Duke entertains the highest opinion possible of Peel's talents and integrity. I cannot therefore fear any permanent alienation.

In the Peel papers may be found further correspondence on this subject, including the Duke of Wellington's own statement to Arbuthnot.

Nothing could be more satisfactory to me than what Sir Robert Peel has written. I have always found him, as he describes himself, most ready to communicate with me. The truth is that he is in the House of Commons and I in the House of Lords, and that constant communication upon every particular is impossible, and can only be resorted to when the business in both Houses requires communication.

This was in response to a letter from Peel to Arbuthnot, saying :

You may rely upon it that nothing in private life gives me half so much satisfaction as communicating freely and unreservedly with the Duke of Wellington. . . . I shall not commit myself to any course of proceeding without full previous communication with the Duke.

Yet it may be felt that Graham and Arbuthnot did much to maintain a cordial understanding.

Early in 1841 Sir James Graham sealed his alliance with the Conservative party by joining the Carlton Club, writing to Lord Stanley :

If you consent to have your name put up, I should wish mine to be given in at the same time. Fanny jeers at me, and says we are about to take the veil, and make our vows.

The session opened quietly, but Graham's letters to Arbuthnot mark the growing weakness of the Whigs and show how necessary Sir James had come to think the Duke's continual aid.

*To Mr. Arbuthnot*

March 24, 1841.

In the present state of foreign affairs the constant presence of the Duke in a Conservative Cabinet is indispensable, and while he lives no other man can guide the House of Lords.

An open rebellion in Ireland would justify his temporary absence from the seat of Government, but nothing less than this should deprive the Executive Government of the constant steady light of his vast experience, superior judgment, and magic influence throughout the world.

His presence or absence constitutes in my judgment the essence of the stability or of the incurable weakness and short life of a Conservative Administration.

In April the Government sustained two defeats on their Irish Registration Bill (practically a Franchise Bill), and withdrew the Bill. In May they were beaten on a chief provision of their Budget.

*May 3.*—With the approbation of the Duke, after a full and most friendly consultation at Peel's this morning, Lord Sandon has given notice that he will move a resolution, before going into Committee on the Sugar Duties, which shall negative this first branch of the financial scheme of the Government.

We are very confident that we shall carry our motion by a good majority, with the aid of the Anti-Slavery party, with the united support of the East and West India interest, and with the tacit consent of the Whig landed interest, which is at last seriously disgusted by the conduct of the Government respecting corn.

If after the defeat of the Irish Bill and the overthrow

of the Budget they still are bold enough to cling to office, we must apply some more stringent compulsion.

Nothing can exceed the harmony and good-will which prevail in every quarter, and I begin to think that their fate at last is sealed.

*May 8.*—I consider the fate of the Government decided last night. Dr. Lushington declared against them. They will be beaten by a considerable majority, and it will be more than poetical justice that they should die by his hand, by an Anti-Slavery agitation.

The end, however, was not yet. Instead of resigning, the Whigs dissolved ; and for an election-cry Lord John Russell gave notice that on June 4 he would make proposals on the Corn Laws.

Peel met this by notice that on May 27 he would move a vote of want of confidence in the Ministry ; and on June 4 he carried that vote by a majority of one.

Still the Whigs did not accept notice to quit. For a last chance they appealed to the country. But the country, by a majority of ninety-one, confirmed the sentence of dismissal.

## CHAPTER XIV

1841-42

Peel's Second Government—Graham Home Secretary—Tory Colleagues—Financial Situation—Projected Income Tax—Corn Laws—Reduced Sliding Scale *versus* Fixed Duty—Protectionist Resignation—Debates on Corn—On Income Tax—General Financial Policy of Peel—Disturbances in Manufacturing Districts—Reports to the Queen—Wellington's Advice.

**A** GAIN Sir Robert Peel was in office, and this time also in power.

In 1834, though an appeal to the constituencies had increased his strength by near a hundred votes, he was in a minority. In 1841 the country was at his back. His name had done most to carry the elections. The new Parliament had given him a good majority in the Commons, and Wellington answered for the Lords.

But not less conducive to the stability of the Government than the allegiance of the country and the support of Wellington was the accession to Peel's Cabinet and the influence there of Stanley and Graham.

In 1834 they had refused to join him, not as objecting to his measures, but as distrusting his men. They then feared the Toryism of Wellington; and Graham spoke of the whole Cabinet as 'formed of men to whom, and to whose measures, he had been all his life opposed.'

He held that 'the sudden conversion of long political opposition into the most intimate alliance would shock public opinion.' No doubt it would; and had he not

then proved his independence by refusing office, he would have lost his seat for Cumberland in 1835, as he did lose it in 1837, for supporting Peel.

But now Peel was recognised as a Conservative Reformer; for six years he and Graham had been acting together on terms of intimacy; and in 1841 they entered upon ten years more of close political alliance and private friendship.

What office, then, should Graham hold?

In 1839, had not the Queen refused her confidence, Stanley was to have undertaken War and the Colonies, Graham Home Affairs.<sup>1</sup> In 1841 the arrangement was the same; and after three years' experience of it Stanley wrote to Peel:

I frankly admit that you were quite right in selecting Sir James Graham as the Home Secretary, rather than myself, on the first formation of your Government. He has amply justified your choice, and has shown a power of conducting business, a knowledge of detail, a temper, and an indefatigable industry, which have very much raised his public character, and which I fairly own I do not think I could have equalled.

There was another post that Graham might have held with great, but not with equal, advantage. He wrote to the Duke of Portland:

HOME OFFICE, *September 7, 1841.*

In some respects my return to the Board of Admiralty might have been useful. I might have been enabled to perfect the great changes which I ventured to introduce into the administration of naval affairs.

But I could not resist the request of Sir Robert Peel to me to undertake the duties of this office, where it is

<sup>1</sup> *Peel Papers*, ii. 394.

<sup>2</sup> *Ibid.* iii. 156. But see Peel's answer, iii. 158.

indispensable that a confidential friend of the Prime Minister should be placed, and where at this moment most difficult arrangements are to be made.

The rest of Peel's Cabinet was much as before. Stanley and Graham now brought into it only one friend, Lord Ripon. The other leading member of the 'Third Party,' the Duke of Richmond, had withdrawn from politics, and had not been succeeded in their councils by any one with equal claims. Instead, therefore, of four places they filled only three, while of his old colleagues Peel now reappointed nine, adding two new men,—for agriculture the Duke of Buckingham, and Lord Haddington for Scotland.

Thus the men with whom Graham would have to act were mostly those whom he had once refused to join. But there could be no charge now of 'sudden conversion.' For six years he and they had fought together, against Appropriation and Repeal in Ireland, and against Radicalism nearer home. And for measures he had full confidence in Peel.

Graham had made one effort to secure the Duke of Richmond as a colleague, but in vain.

*To Lord Stanley*

COWES, *August 2, 1841.*

I am truly glad to hear of the Duke's intention to support the new Government. I wish you would sound him as to Ireland. He would be the best Lord Lieutenant we could send, and he would serve his country once again with distinguished honour, and powerfully support the political and private friends he values most. You are the only one who can approach him on this subject; if you could succeed, you would render the new Government impregnable at the very point where it will be found most weak without the Duke.

Lord Stanley answered :

Richmond will not accept any office. He would make a very good Lord Lieutenant, but it is useless to waste a thought upon the subject.

No sooner was the Cabinet formed than the first business imperiously to demand attention was that of national finance, being in sad disorder.

Challenged by Lord John Russell to announce without delay 'a plan by which they might hope to make the revenue equal to the expenditure,' Peel described the situation as he found it.

As regards finance, what is the position I inherit ? In the year 1838 there was a deficiency of £1,428,000. In 1839 there was a deficiency of £1,430,000. In 1840 there was a deficiency of £1,457,000. In 1841 there is a deficiency of £1,850,000. For the year ending April 5, 1842, it is estimated that the deficit will amount to £2,500,000, making a total accumulated deficit of £7,666,000. We have been in office one month, and we are asked at once to produce our financial scheme. Is that tolerably fair ?

In 1840 the Whigs had made a weak attempt to retrieve the position by augmenting many indirect taxes, with the result not of increasing but of diminishing the proceeds. Taught by this experience, in 1841 they had made—but too late—a dash in the opposite direction, lowering the duty on foreign sugar ; but by including slave-grown sugar they had lost the votes of the anti-slavery party, and so wrecked their budget.

In contrast to this vacillating policy of their predecessors the new Government took a line of their own. Peel, Wellington, and Graham were at one in holding it necessary at once thoroughly to revise the whole existing tariff, an enterprise for which they could count

on the full confidence reposed by the country in the financial capacity of Peel.

*From Mr. Arbuthnot*

WALMER CASTLE, August 4, 1841.

The Duke was very much struck by an article in last week's *Spectator*. It details with great ability, and with a moderation unusual in that paper, what would be the way to make Peel's a strong Government; and after advising a searching investigation into the whole of our Tariff, with a view to improvements in it, the article goes on to declare that if the Revenue cannot by such means be sufficiently augmented, recourse must then be had to a Property Tax.

I am only quoting the Duke when I say that such must be the first things to do, and he reminded me that searching investigations of a like nature had in our old times always been set on foot. I am very sorry Herries is out of Parliament, for on all these matters his services would have been invaluable.

*To Mr. Arbuthnot*

COWES, August 6, 1841.

I am a constant reader of *The Spectator*, which appears to me one of the ablest of the periodical journals, and I was so much struck by the good sense of the article to which you refer that in writing to Peel I called his particular attention to it.

There is one dangerous recommendation which it contains. It is this. The writer says, First, revise your tariff; lower your duties on articles of general consumption, and trust to the increased demand, for your revenue; in case only of failure look to a Property Tax.

Now the danger of this course is apparent. You would have no difficulty in lowering your duties. Whatever the ultimate effect might be, the immediate effect would be a large deficiency of revenue. The loss would be certain, the imposition of the property tax uncertain; and if it were not carried, anarchy and national bankruptcy would be inevitable.

There is no safety in this Tariff operation unless the



imposition of the Income Tax precede or accompany *pari passu* the remission of the duties. No Government which is not strong enough to carry the one is justified in attempting the other.

I entirely agree with you in deploring the absence of Herries from Parliament. I consider his co-operation and advice essential. No man living knows so well all the intricacies and practical working of our monetary and commercial system. His knowledge and power of clear statement and elucidation were tested before the Finance Committee in the Duke's Government, and were universally acknowledged. I trust that his temporary defeat will not cause his exclusion from the new Government. If it should be necessary to deal with the whole tariff, I declare that there is no one who understands this vast subject in all its complicated bearings so well as Herries.

Herries, though not in office, nor even in Parliament, was consulted, and approved, on principle, of an income tax. He held that the burdens on the country, consisting largely of an accumulated debt, ought to be borne in a larger proportion than they were by accumulated wealth, and that the resort in taxation chiefly to duties falling upon industry and consumption not only was impolitic, but could not be maintained. When Chancellor of the Exchequer, in 1827, he had resolved, with the concurrence of Huskisson and of Goderich, to propose a Property Tax, and he was still strongly of opinion that had that course been followed, the present financial crisis would not have occurred.<sup>1</sup>

The new Finance Minister, Goulburn, saw the expediency of the proposed tax, but feared its unpopularity.

The country has never yet submitted to this tax in times of peace. It resisted its continuance even for a year

<sup>1</sup> *Peel Papers*, ii. 506.

in 1816, and I entertain great doubts whether there is virtue enough in a Reformed House of Commons to admit of such a measure being carried, except under the pressure of war expenditure. The task of getting it through Committee would be awful, and perhaps impossible.

Lord Stanley also had written :

You may be driven to an income tax, but I earnestly hope you will not resort to it, except upon the most evident necessity.

Mr. Gladstone, whom, though not yet in the Cabinet, Sir Robert Peel had consulted, expressed warm approval of 'a large measure of direct taxation, if possible of a temporary kind,' to lay a basis for commercial legislation ; but enumerated six solid objections to a property tax, and asked whether the amount required might not be raised mainly by a House Tax. Graham's comment on this as a parliamentary tactician was :

I return Gladstone's letter. You would find his House Tax more difficult to carry than an Income Tax. It would not yield the amount required, and his measures in aid, one and all, are most objectionable. Each would excite as much opposition as an income tax, thereby multiplying the points of attack, and the risks of defeat.

Without hesitation Peel decided for an Income Tax, and had Graham's warm support.

Sir James Graham's own advice<sup>1</sup> had been this ; before entering on a new financial policy to take three preliminary steps :

1. Careful revision of all national expenditure.
2. An effort to improve foreign relations, on which

<sup>1</sup> See *Peel Papers*, ii. 492.

must depend the scale of naval and military establishments.

3. Thorough examination of the tariff, 'in the spirit of extending to consumers relief from every impost not producing revenue.'

On these lines both Peel and Graham meant to move. They saw clearly that to resort to makeshifts, such as had been vainly grasped at by their drowning predecessors—either to raise indirect taxation generally, as the Whigs had done in 1840, or to lower it, as they had done in 1841, without first providing revenue—was to begin at the wrong end. So in Cabinet their first decision was to plant their new tariff on the sure foundation of an income tax voted for three years.

But before proposing this to Parliament, it was thought well to face the angry question which then divided and disturbed the country, ranging manufacturers and their work-people against landowners and tenant farmers.

Sir James Graham, in his opinions on the Corn Laws, had long been in advance of most agriculturists, Whig or Tory. In *Corn and Currency* he had exposed the futility of attempting, by the Corn Law passed in 1815, to extort from families struggling with poverty such prices as had been obtained—but only in Pitt's depreciated paper—in years of war. That Act, he held, should be repealed. But, though on most points a convinced Free Trader, he did not as yet advise full free trade in corn. His policy was this: greatly to reduce the heavy import duty, but to retain so much of it as might fairly counterbalance the peculiar public burdens borne by land. Such imposts, he held with Ricardo, operate as a bounty to foreign producers not

so burdened. The right remedy was a countervailing duty on foreign corn, the fair amount to be adjusted by discussion.

In 1828, as member for Cumberland, he had had the satisfaction of giving practical effect to these opinions. He had taken part by vote and voice in repealing the old unjust Corn Law. In his speech he had lamented 'the mass of evil and misery which for twelve years that law had produced,' without even achieving its acknowledged purpose of keeping prices high. He rejoiced to see it swept away, and a just compromise arranged by Mr. Huskisson, the chief financial reformer of his day.

After Huskisson's death, Sir James, in 1833, as Chairman of an Agricultural Committee, had been inclined towards freer importation. But in 1834, being put forward by the Whig Cabinet to resist the Radical proposal of a fixed duty of 10s. a quarter, he took his stand on Huskisson's scale of 1828, and on his own Committee's advice against hasty interference with that compromise.

In reply—the Government having left the Corn Law question open—he was taunted by his colleague, the Vice-President of the Board of Trade, as having lowered his colours. But Mr. Poulett Thomson had fallen into an error. He had ascribed to Sir James a pamphlet in favour of *Free Trade in Corn* by 'a Cumberland Landowner'; whereas the landowner was not Sir James, but a friend and neighbour, Mr. Rooke of Akehead. This mistake gave rise to an impression that Sir James had vacillated on the Corn question. How far in fact he had modified his judgment he explains frankly in a confidential letter.

*To Sir Robert Peel*

*December 12, 1841.*

In 1833, when I drew the Report of the Agricultural Committee, I did believe that the growth of the population had outstripped our native means of producing bread corn, and that opinion is asserted in the Report.

The experience of subsequent years has shaken that belief. From 1832 to 1837 the importation of wheat was unnecessary. Moreover, draining, and deep ploughing, and the use of artificial manures, and steam navigation bringing fat meat to markets from districts whence lean cattle only had been sent, have so added to effective husbandry and to the growth of wheat, that in average seasons I do believe the increased supply has kept pace with the increase of population.

Lord Ashburton agreed with me in 1833 when I affirmed the contrary proposition ; I now agree with him in the modification, or even change, of this opinion. So dangerous is it to dogmatise in matters of this highly speculative character !

In principle Peel and Graham were agreed to aim at giving 'relief from every impost not producing revenue.' In practice they stood together against imposing a fixed duty, and for reduced duties, to vary with the price of corn.

'Peel,' wrote Cobden to his brother, at this date, 'is a Free Trader, and so are Ripon and Gladstone.'

And so was Graham. And so was Adam Smith—the Father of Free Traders. But Graham had studied Adam Smith. And Adam Smith had written :

It may sometimes be a matter of deliberation how far it is proper to restore free importation . . . when particular manufactures, by means of high duties or prohibitions upon foreign goods, have been so far extended as to employ a great multitude of hands. Humanity

may in this case require that the freedom of trade should be restored only by slow gradations, and with a good deal of reserve and circumspection. Were those high duties and prohibitions taken away all at once, cheaper foreign goods of the same kind might be poured so fast into the home market as to deprive all at once many thousands of people of their ordinary employment and means of subsistence.

It was in the spirit of this humane forbearance that Graham, as a statesman, looked not so much to abstract doctrine as to practical considerations—like those on which his Report in 1833 was founded—to regulate the time when foreign imports, whether of calicoes and printed goods—which until 1846 were protected by a ten per cent. duty—or of corn, should be let in on lower terms, or free.

Agriculture, no less than cotton-spinning, was an industry—the most important industry of the United Kingdom. The price of food, no doubt, was very serious for Manchester or Bradford operatives; but not more so than for the agricultural labourer. High cost of bread and meat might mean high wages, and high wages might mean high prices, and high prices might mean loss of markets. All that was familiar to Graham. He had set it all forth clearly in his pamphlet. But also, low price of corn would mean low profits for the farmer, low profits would mean loss of capital, and loss of motive to keep land under the plough, and any extensive change from arable to pasture would mean loss of employment for the agricultural population. It might become a case not of low wages, but of none. In short, though manufacturers might not see it, there were two sides to the question, and it behoved a statesman to take account of both sides.

This Peel and Graham therefore did, and they were exceptionally qualified to do so.

Peel's great wealth had been acquired in manufacture, not by himself, but by his father. The family had become landowners, but they were still in touch with industrial populations; and when there was exceptional distress among them, Sir Robert Peel was ever ready, not only in Lancashire, but so far off as in Paisley, to come liberally to their aid.

Graham was by long descent a large landowner, living among landowners—great and small, from Lord Lonsdale to the 'statesmen' of Cumberland—and among tenant farmers, many of whom would have much to say to him if he lowered the price of corn. His land also was poor land, and much of it, if produce fell in value, would be the first to pass from cultivation. Such circumstances might have tended to mislead his judgment. But—little thanks though he often got for it—he placed public interests before his own, and he had seen the other side. As member for Carlisle he had been too familiar with extreme distress among the hand-loom weavers; as Home Secretary he had become painfully aware, it will be seen, of widespread sufferings from insufficient wages or absolute lack of work; and he had long held that the best remedy for this was to be found in cheapening the people's food, and so enabling them to support the home market by having more to spend on clothing.

No two men, then, in Parliament were better fitted to judge what should be done about the Corn Laws than Peel and Graham. And they had the further advantage of long political experience. They knew well that Ministers may propose, but it is for Parliament to dispose. They could not fall into the mistake, natural

for a new member like Cobden, of imagining that Peel had but to blow his trumpet and the walls of Protection would fall.

On the necessity for some Corn Law at this time Parliament was almost unanimous. Mr. Charles Villiers had the courage to propose total repeal, but it was refused by a majority of 303. Sir Robert Peel's more moderate measure was to reduce the highest duty on corn at once from 27*s.* to 20*s.* a quarter, with a scale descending to 1*s.* as the price rose to 73*s.* Lord John Russell was now a convert to a fixed duty. A fixed duty had in its favour that its operation was more certain. But on the other hand, when home prices were high it would be impossible to collect so high a duty as 10*s.*, which the Whigs proposed in 1841, or even 8*s.*, to which they had come down in 1842. Indeed, Leaguers voted for a fixed duty, making sure thereby to gain their object, as on the first sharp pressure it must be suspended, or repealed. Palmerston did not stop far short of that, when he wound up the debate by demanding—

That commerce may go freely forth, leading civilisation with one hand, and peace with the other. This is the dispensation of Providence, this is the decree of that Power which created and disposed the universe. But in the face of it, with arrogant presumptuous folly, the dealers in restrictive duties fly, fettering the inborn energies of man, and setting up their miserable legislation instead of the great standing laws of nature.

An eloquent peroration, that might still be studied with advantage by some tariff reformers; but hardly a good argument for extorting—alike in years of plenty and in years of dearth—a fixed duty of eight shillings on the quarter of corn.



The House then went to a division, with the result which Graham had foreseen. Mr. Cobden had denounced the measure as 'an insult to a suffering people.' But the House of Commons, fresh from election by the people, having much confidence in Peel, and little either in Russell or in Cobden, passed the second reading by a majority of 123. A similar majority defeated Melbourne in the Lords. The Anti-Corn-Law League burnt Peel in effigy, but that he did not much mind, if his measure became law.

The first effect of Peel's reduction of the duties on corn was to send adrift the special representative in the Cabinet of agriculture, the Duke of Buckingham; but his place was promptly filled by another Duke, Buccleuch, who had no scruples about the policy. It was rumoured that there were in the Cabinet other dissentients, but this was denied by Graham in a letter reporting progress.

*To Lord De Grey*

*February 7, 1842*

There is not one word of truth about Knatchbull. He is entirely satisfied, and in the Cabinet the Duke of Buckingham has no adherents. Even in the Carlton Club I don't think he has many, though, of course, there are some *frondeurs* and some alarmists.

The Duke of Buccleuch's prompt acceptance, on a full knowledge of our measures, has blunted the edge of the cut from the Duke of Buckingham, and his acceptance of the Blue Ribbon on retiring has diminished his powers of opposition, even if he were disposed to exercise it in the spirit of hostility, which at present is by no means the case.

We shall succeed with our Corn; our great difficulties will be taxation and finance.

*February 10.*—Our Corn Law proposition has succeeded as well as I could have hoped. To our opponents nothing that we could with honesty propose would be satisfactory.

Our aim was to meet the reasonable expectations of moderate men, without offending or injuring the landed interests. I am disposed to hope that we have succeeded in our object, and that we shall keep the main body of our party together.

The real trial still remains, and this will be the demand of an increase of income by fresh taxes.

I know not whether Parliament and the country will sustain us in the decisive policy which we must recommend.

*March 8.*—On Friday Peel will open his plan of finance ; and I conceive this to be the cardinal point on which our fortunes turn. If his proposed measures be accepted by the country, we are irresistible ; if they be rejected, power has departed from us.

*March 16.*—Our financial measures may be considered safe. In the main the public has adopted them, and the position of the Government is secured.

Sir Robert Peel himself had introduced the Budget, and had explained his first principles of tariff reform.

Our object has been to reduce the duties on raw materials to an almost nominal amount ; to reduce the duties on half-manufactured articles, which enter almost as much as raw materials into home manufactures, to a nominal amount ; and with reference to articles completely manufactured to remove prohibitions and reduce duties so as to enable the foreign producer to compete fairly with the domestic manufacturer ; and I entertain a confident belief that the general result of the tariff, if adopted, will be materially to diminish the charge of living in this country.

This was unmistakably in the main a Free Trade Budget, the first to merit that name, and Sir Robert Peel did not scruple so to announce it, explaining, however, why, out of regard to existing engagements, some protection was retained for the home manufacturer, and some for the home grower of corn.

I know that many strong advocates for Free Trade may consider that I have not gone far enough. I believe that on the general principle of Free Trade there is now no great difference of opinion ; and all agree in the general rule that we should purchase in the cheapest and sell in the dearest market.

Of the reduced sliding scale he said :

As regards the Corn Laws, I think that I have proposed, and the Legislature has sanctioned, as great a change as was just or prudent, considering the engagements existing between landlord and tenant, and the large amount of capital which has been applied to the culture of the soil.

On March 16, as has been seen, Sir James Graham considered the financial measures safe, by the support of public opinion. But it had still to be tried what could be achieved by dogged obstruction.

The chief opponents of the Income Tax were two : on behalf of the late Government, who had brought the national finances into a state absolutely to require it, Lord John Russell ; on behalf of the Anti-Corn-Law League—who must have known that without direct taxation it was impossible to remit or lower duties on corn, or meat, or calicoes—Mr. Cobden. •

Lord John Russell [says his biographer] argued that if the duties on foreign timber and foreign sugar had been sufficiently lowered, the Minister could have obtained adequate revenue without resorting to so unpopular a measure as the income tax.

How that could be done it was not easy to see. Sir Robert Peel did not see it, nor did Sir James Graham, nor did the House of Commons. The Whig leader therefore gave it up.

Obviously unable to make any impression on the House, in which Sir Robert Peel was supported by an overwhelming majority, Lord John did not think it necessary to remain in London till the end of the session.<sup>1</sup>

Mr. Cobden did remain, and 'persisted in obstructive motions for adjournment,'<sup>2</sup> but to no purpose. He was hopelessly outvoted. Many Conservatives may not have liked the new tax; new taxes seldom are liked. Nor was the free-trade policy of the budget quite their policy. But it was the policy of their leader, and they stood by him, so that on April 3 he had the satisfaction of reporting to the Queen that the Bill had passed its second reading by a majority of more than two to one.

Thus Peel's first budget triumphed, and the country entered on a policy, for at least two generations, of progressive Free Trade.

The details of the tariff were arranged chiefly at the Board of Trade by Lord Ripon and Mr. Gladstone. Sir James Graham, as will be seen, was kept hard at work in his own department; but many of his letters show the active part he took in the finance, especially in its bearings on the disturbances throughout the country with which he had to deal.

The general features of these are described in all histories of the times, but the task of confronting them can hardly be realised without details. In Manchester the rioting continued for over a week. In Preston several insurgents were fatally wounded. In Burslem the house of a magistrate was burnt to the ground, and the town hall and several private houses

<sup>1</sup> Walpole's *Lord John Russell*, i. 400.

<sup>2</sup> Morley's *Life of Cobden*.

ransacked. In Dunfermline a factory was fired by weavers.

The worst acts of violence were reported daily to the Home Secretary, whose official duty it was to inquire into and deal with them, especially in the way of foresight and prevention.

Some idea of the pressure on him may be given by extracts from his reports in one week to the Queen.

WHITEHALL, *August 16, 1842.*

Sir James Graham with humble duty begs to lay before your Majesty the general result of the information which has reached him to-day from the disturbed districts.

At Preston the good effect of vigorous measures has been demonstrated by the return of the work-people to their employment.

At Blackburn Colonel Arbuthnot resisted the entrance of the mob into the town with success. No lives were lost, and the ringleaders were apprehended.

At Manchester peace was preserved, but all labour was suspended. A great concourse from the surrounding district was expected to assemble to-day. The railway communications had been threatened.

Huddersfield has been attacked by a mob, and Wakefield threatened.

Sir James Graham has called on the Duke of Rutland to repair to his county, and to assemble the Yeomanry in Leicestershire, where among the colliers the same organised disposition unhappily has shown itself, to cease from working and compel by force cessation of labour.

In Warwickshire also some disturbances have occurred, and in the Pottery district houses have been burnt and plundered in open day.

In some of the disturbed counties Sir James Graham was by no means satisfied with the activity of the magistrates; and the mill-owners have shown a want of proper spirit in defending their property. He, in consequence, addressed a circular to the Lords Lieutenant.

At Manchester a body of delegates is assembled, which evidently directs the whole operation as from a common centre. Sir James Graham has ordered these delegates to be apprehended.

*August 17.*—The mobs are somewhat overawed by the vigour with which the troops have acted at Preston, at Blackburn, and at Bolton. Several prisoners have been taken; the troops in self-defence have been compelled to fire, and several persons among the rioters have been killed and wounded. All work, however, is still suspended at Manchester, and the same proceedings have taken place in the West Riding, which have spread from Lancashire, and appear to be directed from thence.

Near Newcastle-under-Lyne a tumultuous mob was yesterday charged by a troop of dragoons; some lives were lost, and the ringleaders were taken prisoners.

On the whole Sir James Graham is willing to hope that this evil is checked. London continues quiet.

*August. 18.*—In Lancashire a disposition to resume work has been partially evinced, and at Preston there has hardly been a cessation of employment. Decisive measures will be adopted for the immediate apprehension of the delegates not only in Manchester, but in every other quarter where legal evidence can be obtained to justify their arrest.

A firmer spirit is arising among all classes possessing property, in defence of their rights against these bands of plunderers, who are the enemies both of law and of property. The prisoners taken in the commission of treasonable felonies are numerous.

In the Potteries a signal example was made by a handful of your Majesty's troops opposed to a riotous multitude, which has burned houses and spread devastation. The effect has been that yesterday throughout that district no rioting took place.

At Halifax and at Skipton the troops charged and fired with effect. At Leeds, also, vigorous measures have been adopted under the direction of Prince George of Cambridge.

*August 19.*—Work is resumed at Leeds and Halifax. No further outrages have been committed in the Potteries. At Preston, Sir James Graham is sorry to say, the work-

men have marked their sympathy with the insurgents by again leaving their employment ; and at Merthyr Tydfil symptoms of an evil spirit not to be mistaken have appeared.

Five of the principal delegates at Manchester have been apprehended. A very important seizure has been made of papers, which disclose a conspiracy extensive in its ramifications, going back as far as July 1841.

There was a meeting last night of a violent character near London. A mob assembled in Lincoln's Inn Fields about eleven o'clock, and moved through the City to Bethnal Green. Sir James Graham had the troops on the alert, but the multitude dispersed without any signs of disturbance.

*August 20.*—No further collision with the troops has taken place. The general resistance to lawless violence is rapidly becoming more firm and better organised ; and there is in progress a gradual return to labour.

It will be necessary to issue a Special Commission for the trial of the criminals, and it will be the duty of Sir James Graham narrowly to investigate the conduct of the magistrates, who in many cases appear to have acted with a degree of feebleness and indecision quite unworthy of their station.

*August 22.*—The reports from the North are better to-day than on any former day since the commencement of the disturbances.

The Mayor of Manchester has reason to believe work will be generally resumed in the cotton trade to-day, and from the West Riding Lord Wharnccliffe states that affairs are settling down, and the storm has passed over for the present.

Great exertions will be necessary for some time in the manufacturing districts, and the military force in that quarter must not be suddenly or greatly reduced.

The meeting summoned for this day on Kennington Common has been a signal failure.

How sorely Sir James was pressed by such work appears from many letters.

*To Earl Powis*

1842, *July 27*.—I am overworked at this moment, and write from the Treasury Bench.

*To Mr. Sandars*

*July 30*.—It is no easy task to govern this country, and it is rendered far more difficult because the daily labour is such that one can neither read the newspapers, nor see a friend, nor write a letter. Yet both eyes and ears should be open, like the engineers on a tender going down the incline with no break upon the wheels.

*To Lord Brougham*

*August 21*.—I have not had a spare moment since the close of the session. My time has been occupied with odious business arising from the mad insurrection of the working classes, which will ruin every peaceful occupation, and diverts thoughts from the contemplation of the means which could not fail to improve their social and moral condition.

*From Lord Brougham*

*August 23*.—I give you my hearty congratulations upon your whole proceedings, which appear to me to have been most admirably taken, and the interference of the military being postponed until it was no longer possible to do without them has had the best effect. It will be most essential to have a very close scrutiny made of the different cases, so as to put the ringleaders and excitors and their more active coadjutors upon their trial.

It is quite clear that the exaggerations of the newspapers have set the poor working people agog in many places. The big letters and trashy fine writing of their emissaries, whom they send for the purpose of making flaring accounts, are really mistaken at distant places for facts, and so the operatives fancy that in Staffordshire and Lancashire there has been a successful movement.

*To Mr. H. Townley Parker*

*August 24*.—It is impossible, even if you had a standing army ten times greater than the British, to provide



troops for every town and village throughout the manufacturing districts ; and if men of substance will not furnish means for defending their own property, and will risk nothing to guard it from outrage, lawless violence and plunder must necessarily prevail.

The magistrates may have a rural police, and charge the expenses on the county rate. Parishes and townships may have constables, and pay them out of poor rate. Special constables may be sworn by the magistrates, and paid out of county rate. Gentlemen and mill-owners by local arrangement may form watch and ward, may arm their servants and retainers, may patrol on horseback, and command the strong arm of the law, which is on their side. But they must take some trouble, they must spend some money, they must incur some risk. If they will not do this, they must bear the consequences.

Government will do what they can, but they cannot be everywhere and do everything.

You are quite aware of this, and have evinced the right spirit, but I write for your neighbours, especially for the Anti-Corn-Law mill-owners, who were at first inclined to smile at the disturbance, but when it reached their own doors were the first to cry aloud for soldiers.

#### *To Lord Galloway*

*August 26.*—I have not been one day absent from this office since February.

The state of affairs is somewhat improved : at least the insurrection is overawed ; but the rebellious spirit is unbroken.

Graham's services were highly praised by Sir Robert Peel, to whom he wrote in reply :

*August 30, 1842.*

I am very much gratified by the kind expressions of approbation which you have bestowed on my recent exertions. The circumstances have been difficult, and the anxiety has been great, but while my health is unbroken no effort shall be omitted by me to do my duty,

and to assist you, as well as I am able, in the arduous task of governing the country.

The close of the session had brought him no relief from cares and toil. A few days after it he received the following Memorandum. It is of interest to record how a great soldier thought it best to deal with such disturbance of the peace ; not using troops—nor even showing them—‘ unless it should be necessary,’ but relying mainly on the civil power. It shows also how much responsibility and work was thereby thrown upon the Secretary for Home Affairs.

*From the Duke of Wellington*

*August 15.*—I have perused the accounts received this morning from the disturbed districts in the North.

What we require now is an organisation of the political and civil authorities, in order to be able legally to make use of the military power, and to restore tranquillity, industry, order, and happiness among the people.

The affair at Preston ought to produce good consequences, but as far as I can judge even that affair was very badly managed.

The mayor allowed the rioters to assemble throughout the day, and then to commence to attack the houses and manufactories, and beat and ill-treat those in the latter disposed to work ; and they would have completed the destruction of the town, if they had not themselves attacked the troops. Even after they were beat off he let the rioters retire in a body, without dispersing them, as he ought to have done, under his proclamation.

I would recommend you to send a stipendiary magistrate to each town threatened by disturbance.

You may rely upon the good intentions—not possibly upon the health and activity—of the Lords Lieutenant of the counties of Lancashire, Cheshire, Stafford, Warwick, and Derby. They should each of them be desired to require the magistrates to perform their duty, and endeavour to prevent these mischievous proceedings by

their personal exertions and presence with their civil force, having, to support the civil power, such military as may be at their disposal.

It must be observed, however, that it is not advisable to show the troops, or even to call them from their quarters, unless it should be necessary.

The rioters once got the better of—the riotous assemblages discontinued—it would then be necessary to consider of the means to be adopted to restore peace to the country.

With this view I would recommend that a Special Commission should be sent into these counties to try all prisoners under charge of having committed these outrages, and that the sentences, whatever these may be, should be immediately carried into execution.

In the meantime the Lords Lieutenant should exert their influence with the magistrates, gentlemen, and manufacturers, to induce the inhabitants to return to peaceful occupations.

While busy as an able administrator with these immediate practical duties and precautions, Sir James Graham by no means neglected to take the larger view of an experienced statesman. He well knew that for such behaviour force was no remedy. To find the proper cure he must ascertain the cause of the disease. What his diagnosis of it was, and what healing measures he had in view, may fill another chapter.

## CHAPTER XV

1841-43

Peel and Graham as State Physicians—Economic Evils and Remedies—Moral Evils—Police, Pensioners, and Magistrates—Moral Remedies—State Education—Its Problems—Church and Dissent.

**S**IR ROBERT PEEL, when out of office, being asked to give political advice, replied that when he was called in he would prescribe. The same answer might have come from Graham. With tongue and pen he was more free than Peel. In action he was not less cautious, or more disposed to show his hand before the time.

But now both Peel and Graham had been called in, and had found the country in a perilous state. The dangers were economic and moral. As State physicians they had to deal with both.

The economic conditions Graham deemed very grave. He saw that, with the advance of civilisation, conflicting interests of rival industries had become more complex and precarious. Especially he found this to be true of relations between the workpeople in crowded towns and the older industries employed on land. Great Britain had become beyond recall the chief manufacturing as well as an old agricultural country. His anxieties on that score appear in many letters.

*To Sir Robert Peel**October 17, 1841.*

Advances of capital made by banking speculations, and rivalry aided by improved machinery perpetually displacing adult manual labour, have so stimulated and increased production that the civilised world cannot consume our articles with sufficient rapidity.

All the suffering will be brought to bear with concentrated violence on our corn laws and provision laws. I am afraid we must expect a winter of great excitement and considerable tumult.

*To Sir Charles Knightley**HOUSE OF COMMONS, April 4, 1842.*

With the rapid increase of the population of this country, it is not safe, in my opinion, for the landed interest to insist on protecting duties of a prohibitory character; it is prudent to be wise in time, and to consent when they have power in their hands to such relaxations as the great body of the people may reasonably expect.

It is in this spirit that the Government has acted; with safety to the State and with honour to themselves no other course is open. We have endeavoured to act fairly and impartially towards all; no step has been taken without due deliberation. It is impossible to doubt our attachment to the landed interest; and I still venture to hope that we may be enabled to carry our measures, which, on the whole, I am quite certain are conducive to the general good, and cannot fail therefore in the long run to be beneficial to the owners of the soil.

*To Earl Powis**August 30, 1842.*

I am greatly obliged by your letter, which evinces so kind and just a feeling towards the working poor. I agree with you, they suffer many wrongs at the hands of their employers.

I am afraid no legislative remedy can be applied to the undoubted evils which prevail to an extent most dangerous to the public peace. They are inherent in the state of

society at which we have arrived, and which is highly artificial. It will be seen that a manufacturing people is not so happy as a rural population, and this is the foretaste of becoming 'the workshop of the world.'

*To Dr. (afterwards Sir James) Kay-Shuttleworth*

*August 30, 1842.*

Your anticipations of outbreaks in the manufacturing districts are well founded. Yet, unless the fall in the price of provisions [effected by Peel's lower tariff] be counteracted by reduction of wages, the condition of the working classes must be improved.

I am most desirous that the education of the rising youth should be the peculiar care of the Government. Its neglect is one of the chief causes of the evil spirit which now actuates large masses of the community. But a change of policy in this respect comes too late as a remedy for the existing danger. It may be a prevention for the future, but the immediate danger is urgent, and a scheme of National Education is too slow in its effects to meet evil which is at our door.

The truth is that in all classes passion predominates over reason, and I am afraid that law and civil rights must be upheld by power, and cannot with safety be left to the unaided protection of moral influences or even of religious restraint.

Do not imagine that I underrate the importance of these great instruments for good ; but evil is so strong that they cannot effect everything, and unbounded reliance on their efficacy is no less delusive than their neglect is unpardonable.

To remedy extreme poverty of workpeople Graham had always looked to freer imports. That was what he advised in *Corn and Currency* ; that was what he worked for with Huskisson and Canning ; that was the tone of his Report on Agriculture in 1833. He modified it later only so far as he believed that improvements in agriculture were keeping pace with, or even overtaking, the demands of the increasing population. Against the newly adopted

Whig policy of a fixed duty he argued that in years of dearth it would be too high, and could not be maintained. The pinch when felt would force on total repeal, and total repeal he did not yet think fair to home producers of corn, if they, as compared with foreign producers, were kept subject to exceptional burdens. And now, on the same principles, after consultation with Sir Robert Peel and other colleagues, he had taken active part in imposing a tax on property, to last three years, and to raise within that time some sixteen millions of money. These millions were to be at once applied to lighten indirect taxation, especially on raw materials for manufacture, and on the people's food. By the new sliding scale the duty from corn had been lowered already by more than one half.<sup>1</sup> On sugar taxation was as yet unchanged, but only from transient difficulties in negotiating for a foreign supply, without which much of the gain from lower duties would have accrued, not to the consumer of sugar, but to the East and West Indian producers.

Graham had written to Peel in 1841 :

I agree with Goulburn that a large reduction of the duty on colonial sugar would lead to a great increase of consumption, and would add to the comfort of the labouring classes.

And in July, 1842, he wrote :

We must be prepared with some treaty, if we fail in Brazil, which will enable us to hold in check the sugar producers of the East and West Indies, when, for the sake of the consumer at home, we lower the duty on British Plantation sugar.

We ought to be prepared to open the next session with some such measures as these.

<sup>1</sup> From 23s. to 9s. See Morley's *Cobden*, i. 238.

Sir Robert Peel replied :

I agree with you that we must advance on our present course of relaxation. Butter and cheese must share the fall of other articles of consumption, and the sugar question we must most carefully consider.

Sir James wrote again :

*September 1, 1842.*—I enclose a letter from a working man in Philadelphia, as it is worth your reading. It would seem that, in every country where manufacturing industry has been largely introduced, the power of production has outstripped the means of consumption, and that grievous distress among the working classes is the unhappy consequence.

Legislation can do little in these cases. Care only must be taken that articles of prime necessity in such circumstances are not artificially enhanced in price.

Indeed, such was the pressure of the terrible reports that came officially before him of distress and famine among the manufacturing workpeople that before the end of 1842 he had begun to look forward to entire free trade in corn.

*To Sir Robert Peel*

WHITEHALL, *December 30, 1842.*

It is most desirable not to touch the Corn Law in the approaching session, if it can possibly be avoided.

I wrote a Memorandum a few days ago on the policy of a commercial treaty with the United States, under which Indian corn might be admitted duty-free in return for a more favourable tariff as affecting the import of our staple manufactures into America. Except in connection with a commercial treaty I should be very unwilling to make any new proposal with respect to corn.

Stanley's despatch to Bagot [the Governor of Canada] is more strongly expressed than caution justifies. . . . This may be considered as an engagement binding in honour, and, if so, it must be fulfilled. But it will be found a very



inconvenient and dangerous operation in the present temper of our agricultural supporters. It will excite as much opposition as a greater change, and it will not really effect the purpose of opening extensively the American market.

In truth, it is a question of time. The next change in the Corn Laws must be to an open trade; and if our population increase for two or three years at the rate of three hundred thousand per annum, you may throw open the ports, and British agriculture will not suffer.

But the next change must be the last; it is not prudent to hurry it. Next session is too soon; and as you cannot have a decisive alteration, it is far wiser to make none. If it were possible, I would postpone the Canadian change of duty.

Stanley succeeded in passing his Canada Corn Bill, designed to favour the colony rather than to cheapen corn at home. But, as Graham foresaw, the Act was resented by the agricultural interest, and one member of the Cabinet, Knatchbull, took it so much to heart as to resign.

In the autumn of 1843 Graham draws Stanley's attention to the satisfactory working of the new tariff.

NETHERBY, *September 14, 1843.*

The reports of trade from the manufacturing districts are most satisfactory. The price of agricultural produce is beginning to rise in consequence. The fall in the price of stock, which was ascribed to the tariff, will now be proved to have arisen from the distress of the manufacturers. Multitudes without wages, and subsisting on the alms of a Queen's letter, cannot be consumers of beef, mutton, and pork.

Butter and cheese, which were not touched by the tariff, fell even more in price than cattle and sheep.

Land can no longer prosper in this country if trade and commerce be stunted.

In consequence of the disturbances in 1842 in town

and country, much consideration was given by the Cabinet to a proposal for employing Assistant Barristers in aid of the unpaid magistrates at quarter sessions.

*From Sir Robert Peel*

*October 12, 1842.*

The appointment of a stipendiary functionary in each county involves a vast number of important considerations. The County Courts Bill will require us to weigh them attentively, and maturely to reflect on the question how long the administration of justice can be committed to unpaid, and therefore to a considerable degree irresponsible, dispensers of it; and whether, when the appointment of paid functionaries for certain local duties shall take place, that is not the period for considering the amendment of the whole system.

But we must approach this with great caution.

*To Sir Robert Peel*

*October 13, 1842.*

I am quite alive to all the delicacy of the question respecting the introduction of Assistant Barristers to the Quarter Sessions in England; but I incline to the opinion that we must lend our thoughts to some such measure.

*From Sir Robert Peel*

*DRAYTON MANOR, November 18, 1842.*

In this, as in every other public question, with rare exceptions, there are weighty reasons in favour of and adverse to the proposal.

It will, on the one hand, conduce to a speedier and better administration of justice, civil and criminal, in several districts.

On the other hand, it will strike a severe blow against the useful influence of the best part of the local and provincial aristocracy of the country. It will diminish the inducements to useful gratuitous exertions in the public service, by closing some of the avenues to honourable distinction.

Like many other things in the abstract very useful and very convenient, the tendencies of the measure are democratic ; first, as an innovation on that which is established ; secondly, as a material transfer of just and legitimate influence.

But then comes the consideration how far it is politic or safe to maintain that influence at the expense of a defective administration of justice.

Whether we can make a partial experiment ; whether such partial experiment is not precluded by the necessity of a universal arrangement with regard to facilities for the recovery of small debts ; whether the administration of justice in the populous districts, though more onerous to the local magistracy, is not more pure than in smaller districts where it is less observed—thus weakening the force of the argument in favour of partial application of the experiment—are all considerations which we must duly weigh.

*To Sir Robert Peel*

*November 20, 1842.*

Follett, by my desire, wrote to an experienced Assistant Barrister in Ireland, in whom he could place confidence ; and he put to him certain questions of a searching character.

I enclose the answers, which are worthy of attention, and which disclose a system of prompt and cheap administration of justice by competent judges ; but it appears also that the practical effect is the displacement of the country gentlemen from all share in dispensing the criminal law at quarter sessions in their own counties.

*From Sir Robert Peel*

*November 22, 1842.*

I send you back the enclosed. It is a very strong proof in favour of the system which it describes that in such a country as Ireland, where every act of every public authority is liable to suspicion and unjust condemnation, the administration of justice by the Assistant Barristers has hardly ever, if ever, furnished topics for complaint.

On the other hand, the Duke of Wellington wrote :

STREATHFIELDSAYE, *November 22, 1842.*

I confess that I have always considered with much pain the schemes for establishing Local Courts throughout the country ; considering each and all of them to be branches of a plan for attaining the object of destroying the influence of the landed gentry, and of persons of education and good social manners and habits.

I think that it is a great mistake to compare the state of the magistracy existing in Ireland at any period with that existing in England and Wales. The religious state of Ireland would alone have rendered necessary and have justified the adoption of the Assistant Barrister system as one of criminal jurisprudence.

We all agree in thinking it desirable to maintain the influence of men of property and education in the interior of the country, and we feel that an alteration of the criminal jurisprudence must affect that influence.

Why should we not try this course ? Establish eight regular meetings of the quarter sessions in the year, leaving them with their jurisdiction over cases not capital. Then have a winter assize in Lancashire, Yorkshire, and any other counties in which numbers of capital crimes may be committed, and frame the working of that system before we proceed further. In the meantime adopt Lord Lyndhurst's measure of last session for deciding on the spot at stated periods of the year questions of property of a certain amount.

A scheme of this kind would be safe, and might save us from the revolution which would be the consequence of depriving the gentry of property and education of their influence in the several counties in which they reside.

Mr. Goulburn argued to the same effect.

I feel very strongly what is stated by the Duke of Wellington, and the more because I see a growing tendency to withdraw the administration of business, judicial, financial, or administrative, from the hands of the upper classes of society, and to vest it in paid officers of the Government.

I believe that the superiority of the upper classes in

the country depends mainly upon their being called upon to discharge such duties. These are not of themselves attractive, and probably a great portion of those who now discharge them would be willingly relieved by the appointment of a Government officer from discharging them. But I think the consequence would be that the man who now feels compelled to act in public as a magistrate or commissioner, and under a sense of that responsibility acquires the necessary knowledge and information, would otherwise degenerate into an idle and useless member of society, living either in London or by the seaside according to the season of the year, and failing, on the one hand, to perform his proper duty to his dependents, and, on the other, to receive the respect which is now justly paid to him.

My opinion therefore is very strongly in favour of any other mode of meeting the rapid and growing increase of crime, rather than that of appointing local tribunals or local judges to preside or to assist at quarter sessions.

Thus opposed by colleagues, Sir James Graham writes :

*To Sir Robert Peel*

*December 10, 1842.*

I must apply myself to some other mode of meeting the evils, and not touch the county magistracy. I will call the law officers to my assistance, and see what can be done.

As Home Secretary, in preserving peace and order Sir James Graham was by no means inclined to rely solely, or chiefly, on outward means—police, pensioners, soldiers, or magistrates. He was fully alive to the importance of education—State education, if possible, but in any case religious education.

On this, both for children and for grown men and women, he placed his chief reliance for subduing the tendencies which he found strong and general to acts of violence—intimidation, rioting, and insurrection.

He had been appealed to on this subject by Brougham, who had a profound sense of its national importance, with projects, somewhat undetermined, of his own.

*From Lord Brougham*

October 21, 1841.

Let me entreat and conjure you to direct your attention to education.

I will do, or rather try, nothing whatever connected with it until I see that you do nothing. But I am as much convinced as of my own existence that you could do infinite service to the country, and cover with real honour yourself and the Government, and, moreover, that this kind of Government alone could do so—by patronising a general parish plan, permissive if you will.

Of course your Government will be expected to give the Church more sway in it than I should be expected or inclined to give it. But I am fully prepared to take a scheme notwithstanding such drawback; and so I believe are all real friends of education, with the exception of those who hate the Established Church and love their sects more than they love education—a class of most worthy and most conscientious men, who have done incalculable service hitherto, but whose honest scruples and prejudices prevent them from doing more now.

My own firm belief is that education has now no other chance than this.

Graham's reply shows foresight of questions that must arise, and that are with us still :

Can national education work well without religion ?  
He answered, as still the majority answer, No.

Can the State from rates or taxes—between these he made no distinction—teach 'the established creed,' without provoking resistance of Dissenters to the rate or tax ? Again he answered, as many Dissenters still are answering, No.

Can the State obtain a satisfactory basis for joint

religious instruction of contending sects by 'agreement on the chief articles of the Christian faith'?

In Ireland that had been tried, and failed. In Scotland it had worked, because in Scotland almost all Churches had a common creed and catechism. In England they had not; therefore, that would not succeed in England.

*To Lord Brougham*

*October 24, 1841.*

I am deeply impressed with the importance of the subject to which you call my attention. But the difficulty of it is not less than its importance.

A national scheme of education must be supported by national funds, and recourse must be had at last either to parochial rates or to the public revenue.

Religion cannot be separated from the system, and amidst the conflict of contending sects the State, if it make a choice, must prefer the established creed; and this preference is the signal for an attack on the measure, and for resistance to the rate or tax, which dissenters must pay, but the fruit of which they cannot share, if the religious instruction violate their belief.

Experience proves that agreement on the fundamental articles of the Christian faith as the basis of a mixed scheme of general instruction is delusive. In Ireland the attempt was honestly made, and it has failed. The Protestants have repudiated the plan, and its true defence and practical utility are to be found in this single circumstance, that, while nominally it is a scheme embracing Catholics and Protestants, in reality it is a plan for educating the Catholic population in tenets more scriptural and less exclusive than their priesthood would consent to tolerate in any other form.

The extension to England of such a plan would be quite hopeless.

The example of the parish schools of Scotland fails also in its analogy. In Scotland there is uniformity of creed, co-existing with the utmost bitterness of dissent on matters of Church discipline. But this agreement in doctrine renders a common catechism easy, and unites

the entire people in the happy bond of a common education, founded on the national religion, and in connection with the parochial establishment.

All the elements of such concord are wanting in England. The two great societies for education, representing the members of the Establishment and a large body of the Dissenters, may with the consent of the Legislature receive separately public assistance. The amount of annual aid may be increased, as the benefit of control by inspection is demonstrated; the quality of the instruction given may be improved by the encouragement of normal schools. But my heart sinks within me when I contemplate a general parish plan for England, and I should entirely despond, if it were not that you, who understand the subject best, and have done more than any other man to promote this great good, seem still to entertain a hope, and to have floating in your mind some practicable scheme.

I should not venture to ask you in confidence to communicate such a project to me, because in my present position I could not promise to entertain it, and your trouble might be thrown away. But in answer to your strong appeal, which you are well entitled to make, I am anxious to assure you that I am alive to the interests which are at stake on this question of Education. The peace and order of society are involved in it, and there is even a still higher consideration—a wise policy on this subject may promote the temporal and eternal happiness of millions.

But religion, the keystone of education, is, in this country, the bar to its progress.

Next year Brougham submitted to Graham two plans for National Education, but the Prime Minister thought neither of them suited to be put in practice.

*From Sir Robert Peel*

*Most Private.*

*June 18, 1842.*

I return Brougham's letter and plans of Education. I fear there would be very great difficulties in the way of the adoption of either of them.



My own belief is that a more rapid advance in promoting good education will be made by the cautious and gradual extension of the power and the pecuniary means of the Committee of the Privy Council, than by the announcement at present of any plan by the Government.

There would be great jealousy of the taxing powers of corporate authorities. Here the Dissenters would object, there the Church, just as one party or the other might happen to prevail in the corporation.

I fear your [proposed] answer to Brougham is too favourable—that it excites too much hope in respect to the adoption of these plans. The expressions in it are guarded, but the general tenor of your answer would impress me with the belief that you see less difficulty in the way of the practical adoption of one or other of the plans than I do. I should greatly deprecate [holding out] expectations to a very sanguine man which could not easily be realised.

The year 1843 began prosperously for the Government. The Royal Speech referred with satisfaction to the termination of war with China and war with Afghanistan, to peaceful relations with foreign powers, and to the adequacy of the revenue to meet every exigency of the public service.

Lord Ashley moved an address to the Queen praying for 'instant and serious consideration of the best means for promoting the blessings of a moral and religious education among the working classes.' The sincerity and cordiality with which this was welcomed by Sir James Graham, and unanimously agreed to, warmed the mover's heart to outspoken gratitude and sanguine predictions of the most happy consequences.

*March 1, 1843.*

The event of last night will, under God's Providence, render your administration of affairs easy, happy, and

honourable to yourselves, and a period of new and lasting blessings to the country ; *novus saeculorum nascitur ordo*.

So far as I am concerned, I will make every concession that a man may make, to aid in a humble way these Christian projects.

The Address—yes, the Address—has put the reins into your hands ! You may govern for years, and follow the guidance of your own principles and discretion. The Government may go swiftly or slowly according to its wisdom, its wisdom being directed by its virtue. The country will allow you to demand and concede in this great matter, because you are acting with the full confidence of Parliament under the pressure of a strong and, I say, a glorious necessity.

I foresee great good, neither distant nor transitory. The material welfare of the country will follow its moral improvement. The words of our Saviour are distinct and indefeasible promises—‘ Seek ye first the kingdom of God and His righteousness, and all these things shall be added unto you.’

Sir James Graham answered :

Your note has truly gratified me. There is no man whose approbation I value more highly, or whose displeasure has given me greater pain.

I am willing to hope that the new Factory Bill will in the most important particulars satisfy your wishes ; and since the formation of this Administration no circumstance has been more deeply regretted by me than the obstacle which this [Factory] question has presented to your acceptance of office. It would delight me if the reasonable settlement proposed should in any way remove your honourable scruples, and smooth the way to future arrangements, which I consider so desirable for the public service.

The following letters relate to the same subject, and especially to an effort made by Sir James Graham to introduce Scriptural education in the neglected factory schools.

*To the Rev. R. Burgess*

*November 22, 1842.*

I sincerely desire to promote to the utmost scriptural knowledge and moral training, on Christian principles, among the rising generation, and the Government is disposed to use every exertion consistent with prudence for the attainment of this good.

The progress may not be so rapid as the sanguine might wish, but it is certain and increasing, and no opportunity will be omitted of rendering it more decisive.

It is necessary to quiet many groundless apprehensions, and to soothe much angry jealousy, and it is not an easy task to uphold the just authority of the Church and to respect the honest scruples of Dissenters. I trust that the blessing of God may aid our feeble efforts, if they be honestly directed to His service and glory.

*To the Bishop of London*

*December 27, 1842.*

Last spring I ventured to express a strong opinion that the law which now provides for the instruction of children employed in factories is most defective, and that the ignorance of large masses of the population congregated in those districts is disgraceful to the Government, and inconsistent with the peace of the community.

For it is not bare neglect on the part of the Legislature, arising from oversight. The law compels the factory children to attend schools, but it utterly disregards the quality of the instruction to be imparted; and the State renders no assistance in those localities where without assistance good schools cannot be provided, yet where the ignorance is most profound.

My impressions on this subject were strong when I last addressed you; they have been confirmed by recent events; and I am convinced that the time has arrived when an effort must be made to dispel the darkness of this cloud.

Last year, yielding to your objections, I abstained from bringing before Parliament certain clauses which it had been proposed to introduce into the Factory Bill.

You referred in terms of commendation to the opinions of Mr. Saunders on this subject. I have carefully considered his reports ; I have had confidential communications with him ; I have directed him to confer with Mr. Shuttleworth, the Clerk of the Council, and with Mr. Horner, the Inspector-General of Factories, and to endeavour to frame clauses not open to the objections urged to the former proposal, but such as the Church might reasonably concede, and the Dissenters adopt, as a scheme of compulsory Scriptural education.

I myself have had frequent conferences with these three gentlemen, and the result has been the preparation of the clauses which I now submit, in confidence, for your consideration.

They have not yet been seen by Sir Robert Peel or by any of my colleagues. Before I bring them under the notice of the Cabinet I am anxious to ascertain your opinion, on a matter of the highest importance, concerning which your judgment will have the greatest weight.

I am disposed to receive with profound respect any suggestion which you may be pleased to offer ; and I venture to hope that you will pardon me for presuming so much on your indulgent inclination to assist me in a work of charity and concord.

*To the Rev. G. R. Gleig*

*March 6, 1843.*

In the factory schools the authorised version of the Scriptures will be read daily by all the children. Instruction in the liturgy and Church catechism will be given at fixed hours to the children of Churchmen, apart from the children of Dissenters.

Experience in Ireland alarms me at the thought of Scripture *extracts*, or of any tract containing even the great saving truths of Christianity, which may be open to the charge that points of difference are softened down to soothe the irritation of Dissent.

I am afraid of elections by ratepayers, and of the presence of dissenting ministers on the Trust side by side with the clergymen of the Establishment.

Mine is a measure of peace. I am afraid that such a compound would effervesce with one drop of acid, and the presence of sour ingredients must be anticipated.

If I succeed in large cities and the manufacturing districts, my plan is easily capable of extension. By not proposing too much I mitigate hostile jealousies. I deal only with an evil which cannot be denied, and with a scheme of education now compulsory by law.

*From Rev. G. R. Gleig*

You must not expect too much from any scheme of National Education. Good seed is slow to ripen. But the whole bearing of your plan seems to me so excellent that I cannot doubt of its producing, in time and with God's blessing, the very best results.

*To Mr. Gladstone*

By the education clauses, as they now stand, the Church has ample security that every master in the new schools will be a Churchman, and that the teaching of the Holy Scriptures, as far as the limited exposition may be carried, will necessarily be in conformity with his creed.

But the enmity of the Dissenters is moved to the uttermost, and they will succeed in defeating the measure, at least in the sense which led me to propose it, as a scheme of comprehension and concord.

*To Lord Stanley*

The Dissenters will be too much for us. They will convert my measure of peace into a firebrand and a sword, and if we attempt to force it we shall do harm rather than good.

I do not regret that we made the proposal. It was an honest one. Since the Dissenters refuse to co-operate, we must assist the Church, and rely on her increased exertions.

*To Sir Robert Peel*

*April 13, 1843.*

I have received the enclosed communication from the Wesleyan body with great regret. It is more hostile than I had anticipated, and marks distinctly a wide estrangement from the Church.

It is quite clear that the Pusey tendencies of the Established Church have operated powerfully on the Wesleyans, and are converting them rapidly into enemies.

I shall send this paper to the Bishop of London, that the Church may know and feel how their enemies are multiplied, and what are the causes of increasing hostility.

On May 15 Sir James Graham announced that he would not proceed with the educational clauses of the Factory Bill.

The Bill [he said] was framed with a view to concord and conciliation, but it has not been so received. Soon after its introduction I found that the great body of Dissenters have insuperable objections to it. Extensive modifications have been made to meet these objections, but in that attempt I have been wholly disappointed.

On this occasion Lord Ashley wrote :

Let this last trial be taken as sufficient proof that 'united education' is an impossibility. It ought never again to be attempted. The Dissenters and the Church have each laid down their limits which they will not pass, and there is no power that can either force, persuade, or delude them.

Similar difficulties attached to the question of providing more religious instruction for the multitudes recently gathered into manufacturing districts.

*From Sir Robert Peel*

*September 9.*—We ought to have estimates made of the means available for increased religious instruction of the people.

Pray consider the expediency of appointing a Commission to inquire into the state of some of the manufacturing districts, in which there is the greatest demand for immediate application of a remedy.

After his experience of 'the religious difficulty' in Factory Schools, Sir James Graham was cautious as to an inquiry by the State into heathenism in the manufacturing districts.

*To Sir Robert Peel*

*September 17.*—I own to you that I am afraid of an inquiry by a Commission into the want of moral and religious instruction in the manufacturing districts which have been recently disturbed.

I have no doubt that a frightful case might be clearly established of brutal ignorance and heathenish irreligion, and that it is the paramount duty of the Government to apply a progressive remedy to an evil of such magnitude and danger.

But if you issue a Commission, you will excite to the utmost the hopes and fears of rival factions. The truth will be shown in a light probably somewhat exaggerated, and the Government which exposes to view so great a national deformity ought to be prepared with an adequate remedy.

When we have proved the want of education, the need of pastoral care, the insufficiency of church room, what hope is there that we can agree in Parliament on a scheme of national instruction, or obtain funds for the building and endowment of new churches, on a scale commensurate with the necessity which we shall have established ?

The religious differences which divide the three portions of the United Kingdom preclude the hope that any large drain on the public revenue for the purpose of extending the exclusive doctrine and discipline of the Church of England would be permitted.

By judicious measures we may gradually propagate the saving knowledge of Christian truth ; we may diffuse the blessings of a scriptural education ; we may render

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the property of the Church more available for sacred uses, and less subservient to temporal interests. All this may be done gently, almost silently, and from time to time public aid may be obtained. But if we appoint a Commission of Inquiry, if reports of striking effect be produced, and if, relying on these reports, we attempt any large measure, general alarm will be excited, a spirit of resistance will be generated, failure will ensue, and the good which might otherwise be effected will be rendered impossible.

Let me beg of you to consider this view of the subject before we decide on an inquiry.

*From Sir Robert Peel*

*December 22.*—It is impossible to propose any plan of Church Extension which shall not be open to objections of considerable force.

I dread, for the sake of the Church and its best interests, stirring up that storm which large demands on the public purse would inevitably excite.

I recommend, therefore, that we should exhaust in our consideration every plan by which we can unite voluntary contribution and contribution from the revenues of the Church before we make a demand on the public purse.

I would rather accommodate our proposal to our legitimate means than incur the risk of such a contest as religious rancour might raise.

It is very well for clergymen, and for Sir Robert Inglis, to argue that it is the duty of the State to provide religious edifices wherever they are wanted, and that Dissenters are bound to build and repair and endow their own churches and those of the Establishment also. But you and I know that religion would suffer, and peace and charity would be sacrificed, were we in practice to push these arguments to their logical conclusions.



## CHAPTER XVI

### IRELAND, 1841-43

Home Secretary's Responsibility for Irish Government—The Executive Staff in Ireland—General Policy of Graham and Peel—A Black Page!—New Viceroy's Levee—O'Connell—Education of Roman Catholic Children—Peel on Patronage—Repeal Agitation—Wellington's Advice—Slackness of the Irish Executive.

**A**MONG a Home Secretary's duties none may cause him more anxiety and strain than his responsibility for the good government of Ireland, especially when, as in 1841-46, neither Viceroy nor Chief Secretary is a member of the Cabinet.

On the other hand, in discussing Irish business, Peel's Cabinet could command the advice of three former Chief Secretaries—Wellington, Peel, and Stanley.

But while this gave Graham a multitude of counsellors, it did not lighten for him the burden of correspondence. He wrote sometimes daily to the Lord Lieutenant, to the Chief Secretary, to the Lord Chancellor, or to all three; to his friend Stanley he had much to communicate; from the Duke of Wellington he received important criticisms and counsel; and on every urgent Irish question he was in closest touch with Peel.

Of the letters exchanged between them many have been published in Peel's *Life*, selected mainly to show how vigilantly that great Minister kept himself informed on the affairs of the sister island, and exercised super-

intendence over them. But many more letters remain, of equal interest for Irish history and in their bearing on problems of administration.

The Executive Government of Ireland under Peel was, as usual, wholly English, and new to the work. The Viceroy, Earl de Grey, was elder brother of the Earl of Ripon. With some undeniable qualifications for the post, he combined the drawback of having for brother-in-law a fiery Orangeman, the Earl of Enniskillen. On this account Lady de Grey had in 1839 implored Peel not to send De Grey to Ireland. The Chief Secretary, Lord Eliot (afterwards Earl of St. Germans and Lord Lieutenant), was as much inclined to the Catholic as De Grey was to the Protestant side. The Lord Chancellor, Sir Edward Sugden (afterwards Lord St. Leonards), was an Englishman, selected contrary to the advice of the Viceroy, who writes, 'I had from the first urged Peel to make an Irishman Lord Chancellor.'<sup>1</sup>

It would not have been easy to find an Irish Protestant lawyer whom Irish Catholics would have accepted as impartial. But neither did they so regard Sugden.

With this staff, Peel and Graham took it in hand, to the best of their ability, to govern Ireland, impartially between Catholic and Protestant, and if possible without coercion beyond that of the ordinary law.

Before reviewing the means they used, their successes and their failures, it may be well to call to mind an adverse judgment said to have been passed by their junior colleague Mr. Gladstone. Of him it has been placed on record that, while in general he looked upon Sir Robert Peel as 'the safest of all guides and the greatest of all administrators,' in his later years he qualified that high

<sup>1</sup> *Peel Papers*, ii. 389.

estimate by one exception. 'He could not but regard with misgivings and regret Sir Robert Peel's Irish policy, which constituted "a black page" in the history of that great Minister.'<sup>1</sup>

Now, so far as this severe estimate may have referred to Peel's action as Irish Secretary (1812-18) when Gladstone was a child, or as Home Secretary (1822-30), while Gladstone was at school or college, and Graham was politically opposed to Peel, to discuss the criticism in these pages would be irrelevant. But if it was intended to include the years with which we have now to deal, then the charge of 'a black page' lies against Graham equally with Peel, for never did two Ministers act more harmoniously together. Their Irish policy, whichever of them most inspired it, in these years was one and the same.

Before proceeding, then, to record it, the observation may be made that neither in Peel's papers, nor in Graham's papers, nor yet in Gladstone's life (as written by Morley) is there anything to show that during the years 1841-46 he ever expressed any doubt as to the soundness of the policy for which with them he became responsible, excepting only the misgivings which made him leave Peel's Cabinet on their Maynooth Bill.

The general principles on which Sir James Graham proposed to govern Ireland he laid down thus :

*To Sir Robert Peel*

*October 21, 1841.*

There must be a steady and marked discountenancing of the Repeal party, and a decided preference of Sharman Crawford's adherents, who advocate British connection ; an impartial and liberal policy ; and equal justice ad-

<sup>1</sup> *Gladstone*, a Monograph by Sir E. W. Hamilton, p. 112.

ministered to Roman Catholics—in a word, the policy which you enjoin.

But while strongly upholding the Legislative Union of Ireland with Great Britain, Graham took precautions to restrain over-zealous law officers from meddling with the political opinions of magistrates who might support Repeal.

*To Sir Robert Peel*

*November 6, 1841.*

I do not hesitate to recommend that no notice should be taken of these Repeal subscriptions. If we wait, the Repeal movement will subside ; or, if our forbearance be mistaken for timidity, the Repeal party will become more daring, and give us an opportunity of striking a blow which the occasion will justify.

*To Earl De Grey*

*November 6, 1841.*

I have again consulted Sir Robert Peel with respect to Sir Richard Musgrave's subscription to the Repeal fund, and we adhere to our opinion that on the whole it will be best not to notice it.

In the same spirit Sir James, in forwarding to Sir Robert Peel papers from the Attorney-General, Blackburne (afterwards Lord Chancellor), who had of his own authority begun a prosecution, wrote :

The Irish Government should have been consulted before the Law Officers ventured on such a prosecution. Those who have to answer questions in the House of Commons are entitled to have a voice in the measures which they must defend.

However, Blackburne is so good a man, so trustworthy and so strong a prop to the Irish Government, that it would be unwise to disavow the proceeding. We must hope that it will end well. But care must be taken for

the future that these off-hand legal flourishes are not repeated.

The aspect of affairs in Ireland at first was satisfactory, at least to the Viceroy, who reported :

*November 15.*—Three Catholic Bishops were at my *Levee*. It was a most triumphant display—fourteen hundred persons, being nearly double of any for many years, and never equalled, I am told, except when George IV. came. Persons from every part of Ireland. Many certainly were clergy, who it will be said were only coming for loaves and fishes. But there were also great numbers who came solely with a view to testify their good feelings towards the Government.

The Lord Mayor [O'Connell] came. The newspapers tell me that I received him with a look of withering indignation. I certainly did not intend to make any distinction between him and the most insignificant individual. I do not believe that I did. He was said to have been very grand and hustling in the outer room, but he was very quiet as he passed me. It was observed that hardly a person spoke to him.

I never saw such delight and exultation as our people were in. The Attorney and Solicitor-General were radiant.

*December 29.*—A repeal meeting was held on Monday in the County of Meath. Our police officer there says :

‘Very few respectable persons attended, and not one thousand of the peasantry. I have never seen more apathy evinced by the people generally. Instead of listening to the speakers, they were in groups talking to each other. On the whole the meeting was a most decided failure.’

I think, from all I hear, that the general feeling for Repeal is subsiding, and we should do harm if we interfere. I have had no opportunity to consult any one.

To say the truth, I hardly know whom to consult. Eliot is as new to office and the country as myself. The Chancellor also ;<sup>1</sup> and moreover a man—though an ex-

<sup>1</sup> Sugden had, however, been Peel's Lord Chancellor of Ireland before, for a few months in 1834-35.

cellent lawyer—whose judgment in matters of policy and public expediency I do not attach weight to.

The most burning questions with which the Government had to deal were those of Education for Roman Catholic children, University students, and clergy, the Land question, the Franchise question, and O'Connell's agitation at first for Repeal of the Union, and afterwards for 'Federation,' in other words 'Home Rule.'

On more than one of these subjects the Lord Lieutenant and Chief Secretary were at variance, and Sir Robert Peel was inclined to treat the Chief Secretary, as responsible in Parliament, with much consideration.

*December 6.*—Would it not be well for you to make communications to the Irish Government as much as possible through Eliot? Between ourselves, I think De Grey is a little apt to keep him too much in the background. He has the conduct necessarily of all parliamentary business, and his opinion therefore is entitled in such matters to great deference.

At the same time Sir James Graham found it necessary to warn Lord De Grey against overdoing the exclusion of Roman Catholics from juries.

*July 19.*—The right of challenge on the part of the Crown must be exercised with discrimination and forbearance. An exclusive Protestant jury trying a Catholic for his life in cases where sectarian passions are excited is an unseemly spectacle, and is viewed with suspicion here.

Lord Eliot wrote also to complain that promotion in the Established Church—which it might be his duty to defend—was given by Lord De Grey uniformly to opponents of the so-called 'National' Schools, a selection which must throw doubt on the sincere adoption by a

Conservative Government of the Whig system of 'united secular and separate religious education.'

On this point Sir James Graham inclined to agree with the Chief Secretary, and in fact stopped one appointment on that account. But he found so many of the clergy opposed to this policy for schools that he thought it inexpedient to make adhesion to it a general test of fitness.

*To Lord Eliot*

*September 16, 1842.*

I do not think it would be prudent or even practicable to make the adoption of the mixed scheme of education a test on which promotion at the bar or in the Church was to be made dependent.

A month later, after consultation with Sir Robert Peel,<sup>1</sup> Sir James found it necessary to write a formal remonstrance as to the inconvenience of receiving so frequently from the Irish Government conflicting opinions instead of united counsel.

*To Earl De Grey*

*Private and Confidential.*

*NETHERBY, October 22, 1842.*

It is impossible that the Irish Government can be safely or well conducted in this manner.

We are invited not only to govern Ireland in the details of administration, but to solve difficulties arising from differences of opinion with respect to these details on the part of those who are on the spot, and who are most competent to form a judgment.

It appears to me that it would be well if the Lord Lieutenant and Secretary officially conferred, bearing in mind that the Secretary for Ireland is responsible in the House of Commons for the acts of the Irish Government, and is at all times bound stoutly to defend them.

<sup>1</sup> See *Peel Papers*, iii. 39.

When the authorities in Ireland differ in opinion, and the difference cannot be reconciled on the spot by that spirit of mutual concession and forbearance which is the real cement of a Government and constitutes its harmony and strength, then in these cases, which must be rare, an appeal is naturally made to the Prime Minister, either directly or through the Home Secretary.

All the facts of the case should be stated, the precise points on which the difference arises should be brought out distinctly; the whole subject is then sifted, the argument is put on record, and the final decision of the Government is binding on all its members.

I am satisfied that this is the right way of conducting the affairs of Ireland, considering the anomalous position of the Lord Lieutenant and Chief Secretary, the one supreme, the other responsible in Parliament.

Your temper, discretion, and judgment could not fail to exercise a commanding influence over Eliot, if habitually he deliberated with you on arduous affairs. It is necessary for good order and harmonious administration that this mode of conducting the official business should be adopted.

I have conferred with Sir Robert Peel on the subject, and I now convey his opinion as well as my own.

The Lord Lieutenant answered :

*October 25, 1842.*

You say justly that you are invited to govern Ireland in detail. But you need not accept the invitation, if you have confidence in the head of the Government. Eliot may have one view of a subject, and I may hold another, and no doubt the best and properest course is for us to reconcile our differences, if they can be so called, and refer the matter to you at home only when it involves matter of general interest and extended policy.

In cases such as Maynooth or Education, as they affect the whole community, and being money questions affect also English feelings and interests, I feel differently. They properly belong to the Government of the Empire. I, as head of the Irish Government, may and ought to give every aid and suggestion in my power. But it is not for me to decide.



In accordance with this view Sir James Graham once proceeded formally to consult the Cabinet on the Education question, and thus conveyed the result :

*To Earl De Grey*

*November 9, 1842.*

The future policy of the Government with respect to the scheme of Mixed Education in Ireland was brought under the consideration of the Cabinet yesterday. I stated to my colleagues your desire that their intention on the subject should be deliberately formed, that the result should be known, and steadily pursued.

It is open to us to abandon the plan ; to inquire into its operation ; to adhere to it partially, proposing a separate grant for schools exclusively Protestant ; to adhere to it entirely.

All these propositions were discussed and weighed by the Cabinet.

The abandonment of the plan would not be consistent with the policy which led to the emancipation of the Catholics. It would destroy their growing confidence and it would revive hopes of Protestant ascendancy.

Moreover it must not be forgotten that this plan, now so much assailed, is based, both in principle and in detail on a Report of a Commission of Inquiry into Irish Education, in 1812, signed by the late Primate, by Archbishop Brodrick, and by the late Baron Foster, men eminent in their day for fervent piety and sincere attachment to the Protestant Church. They had no scruples about scriptural extracts ; they did not fear joint education with separate religious instruction ; it was the groundwork of the measure which they advised.

The adoption of their plan was long postponed, but the trial has been short ; but under it a larger number of Catholic children have received a scriptural education subject to the direct control of a Protestant Government than in any other country in Europe. The Cabinet therefore has resolved not to abandon the plan.

But, it may be said, if its fruits are excellent, and if success triumphant, demonstrate the facts by an Inquiry which would remove every ground of cavil and of doubt

The Government could not be parties to such an inquiry without marking distrust, and the matter in dispute does not turn on facts which are controverted ; these are all admitted. The principle of the measure is the root of the controversy. The charges of the Primate and of the Bishop of Ossory remove all doubts on this point. They object to scriptural extracts, they object to joint secular education apart from joint religious instruction. No alteration of details could meet their scruples. They ask for a separate grant for Protestant schools, and would treat an inquiry as a subterfuge to evade the assertion of a principle. The Catholics also would regard an inquiry as the revocation of a principle. The Cabinet therefore has resolved not to inquire.

But, while we adhere to the mixed scheme of education, shall we propose a grant for schools exclusively Protestant ? The statement of this question exposes the inconsistency of the proposal. The mixed scheme and the exclusive grants cannot co-exist. The Presbyterians will claim whatever is conceded to the Established Church, and the alternative will instantly arise of a grant for exclusively Catholic education, or of the refusal of public aid to the instruction of the great body of the Irish people. The Cabinet therefore has resolved not to propose a separate Protestant grant.

There remains only the last proposal, adherence to the present plan, with correction of abuses which may have arisen in the administration of details.

This decision the Cabinet has adopted.

*From Lord Eliot*

PHŒNIX PARK, *November 12, 1842.*

Lord De Grey showed me yesterday the letter in which you communicate to him the decision of the Cabinet on the Education question. I read it with unqualified satisfaction.

*To Lord Eliot*

*November 15, 1842.*

I am quite convinced that the decision of the Cabinet on the Education question is politic and right. It may

give us some trouble, and expose us to a storm of abuse, but it will enable us to govern Ireland on just principles, and it proves the sincerity of our declaration, that our first object is, not the triumph of a party, but the welfare of an entire people.

The Primate has written a long letter to Sir Robert Peel, very much in the spirit of his Charge. Sir Robert has returned a firm and conclusive answer, in conformity with my letter to Lord De Grey.

*To Lord Stanley*

HILL STREET, November 21, 1842.

Peel has been stout on the Education question, and he would have had no peace if he had faltered. As it is, the clergy will succumb, if we are firm, and if Eliot does not try to ride rough-shod over them.

As to Maynooth, if it were not for Protestant feeling, the last thing which I would refuse to the Catholics should be money.

I suppose the grant of increased means would be less odious than the removal of a deficit which it is hoped may cripple them. A pleasing religious temper this ! but it prevails in Ireland.

Witness the Address to the Queen which I enclose, and which I am asked to present. What shall I do with it ? The allusion to Ireland is not dissembled, and I can hardly allow in a Petition to the Queen such terms as 'millions of factious idolaters' to be applied without comment to our Roman Catholic fellow-subjects, whether in Canada or in Ireland.

*To Earl De Grey*

December 26, 1842.

I rather agree with Eliot that, if possible, to the next vacancy on the Bench it would be desirable to elevate some pious clergyman who does not object to the National Scheme of Education.

Early in 1843 questions of Irish policy were brought tentatively before the Cabinet. On equalisation of Irish

franchises to those of England and Scotland there was little difficulty, but the framing of practical measures for the higher education of the Roman Catholic laity and clergy was embarrassed by scruples of Mr. Gladstone. Such projects had been discussed by Sir James Graham with Lord Stanley, to whom he writes :

*Secret.*

HOUSE OF COMMONS, *February* 19, 1843.

We have had our Cabinet, but have made no great progress.

There is a willingness to declare that we are ready to extend to the Roman Catholics of Ireland perfect civil equality ; and that, if it can be shown that in any respect franchises intended to be equal though not identical are on the balance unfavourable to Ireland, we are anxious to give full and immediate redress, and to enter on this discussion in a friendly spirit.

Gladstone has still scruples, and hesitates to give a pledge which might bind the Government to endow Colleges for the mixed education of the Roman Catholic laity and priesthood with the aid of the State.

Thus the session began, and went on, without assurances on this difficult question. Ireland remained discontented, and in April O'Connell's persistent agitation for Repeal of the Union for the first time became formidable, and takes a front place in the correspondence.

*To Earl De Grey*

*April* 24.—The accounts from various quarters of Ireland, which concur in the statement that Repeal is spreading rapidly, begin to make us uneasy.

The votes in favour of Repeal in the Town Councils of Dublin, Limerick, and Cork are circumstances not to be disregarded. The absence of O'Connell, Sheil, and their friends from Parliament is also ominous ; and if the Catholic meetings in favour of Repeal are met by Orange meetings in opposition to it, some serious collision will be inevitable.

*April 28.*—In consequence of the rapid and dangerous spread of the movement in favour of Repeal, a question has arisen whether magistrates should be allowed to remain on the Commission of the Peace who take an active part in meetings assembled for the purpose of agitation.

Sir Robert Peel and I wish that you would consult with the Lord Chancellor on this point, and inform us of the result of your joint deliberations.

Sir Edward Sugden some time ago suggested the removal of a magistrate on this ground. At that time I demurred, because the Repeal cry appeared to be feeble, and I ventured to hope that it was dying away. Unhappily the case is far different now.

*May 9.*—Peel in the Commons and the Duke in the Lords will make the strong declaration of our fixed purpose to maintain the Union with the whole power of the State. These declarations will be made to-day.

*May 20.*—Although your Irish Government has been exposed to unjust attacks from the portion of the Press which calls itself Conservative, yet a light hand is laid on you compared with the blows which every day are inflicted on Sir Robert Peel and on me.

Speaking for myself, I am very indifferent to all this abuse. It constantly overshoots its mark, and I very much doubt whether virulence of this sort operates powerfully on the public mind.

At all events it has been our policy not to buy the Press, but to leave it to its own free agency, thinking on the whole that a Government free from the trammels of a newspaper alliance fares better than one which renders itself subservient to this, the most degrading of all tyrannies.

Wellington's advice as a soldier now made itself felt.

*May 21.*—The Duke declares that we must prepare for 'la grande guerre' in Ireland, and his foresight is seldom deceived. We are beginning to act decisively on his warning. Nothing short of some serious affray will open the eyes of the people of this country to the reality and extent of the present danger.

*June 1.*—The opinion of the Duke in these matters carries extraordinary weight, and he cannot divest his mind of the conviction that an open rebellion is close at hand.

*From the Duke of Wellington*

*June 10.*—Ireland is no longer in a social state. There is neither property nor safety for life except in the ranks of the Repealers of the Union.

*To the Duke of Wellington*

*June 10.*—It is too true that in Ireland the law is powerless, and the enemies of law and order gain strength every day. The means of counteracting the fatal effects of this diseased state of society require the most cautious deliberation, and the most vigorous execution.

*To Sir Robert Peel*

*June 17.*—My principal anxiety is with regard to the sufficiency of our military force.

*June 18.*—The proposal made by the Duke of Wellington is an awful one. The training and arming of the yeomanry of the North will be the signal for insurrection in the South ; and, though [in any case] the struggle will at last assume the character of a religious war, if we take this step we shall be responsible for stamping it with that character from the commencement.

On the other hand, the Protestants are our garrison of defence ; and the question is, Are we justified—by the want of regular troops—in putting them under arms to the extent of the danger ?

I do not think that this step can be taken without a previous announcement to Parliament, or without the Queen's special consent.

Party interests also came into play.

*To Lord De Grey*

*June 17.*—We had a sharp skirmish in the House of Commons last night on Irish affairs. My fear is, that

these debates will increase your difficulties, by inflaming the excitement in Ireland.

I thought the time had arrived when Fixity of Tenure and the overthrow of the Protestant Church must be firmly disclaimed, as concessions never in any degree to be contemplated by a British Government. But John Russell, in answering me, left no doubt how far he is prepared to go even in this dangerous direction, hoping to conciliate the goodwill of the Catholic majority.

I know not what impression his speech will leave on the minds of the reasonable portion of the community, but I much fear that it will have the effect of stimulating the wild hopes of the most lawless portion of the Irish agitators.

Graham's speech and Russell's in reply may be read in Hansard. In form the debate was upon simple renewal of an expiring Arms Act. This was generally admitted to be necessary, but Roebuck and others seized the opportunity to raise again the questions of the Protestant Established Church and of what O'Connell had been advocating as 'fixity of tenure' of land. Graham's general reply was :

Let these questions not be discussed incidentally upon an Arms Bill. They are far too great, far too important, too imperial in their character. Let them be discussed as distinct and substantive proposals.

But, after enumerating the many recent concessions made to the Roman Catholics, he allowed himself to declare with unnecessary emphasis, 'Conciliation has been carried to its utmost limit in Ireland.'

This was received with expressions of dissent, which led the speaker more closely to define his meaning.

Unless the House is prepared to adopt the principle of fixity of tenure, or to agree with the honourable member for Bath that the Protestant Establishment must be

overthrown—unless the House is prepared to accede to schemes so dangerous as these—I do not see what measures of further conciliation can be proposed.

In reply Lord John Russell first held Sir James Graham responsible for having taken part in the extension of the debate from the Arms Act to general Irish policy; and then, while not himself supporting either ‘destruction of the Established Church,’ or O’Connell’s proposals for fixity of tenure, maintained that both the Church question and the land question, especially as regarded the landlord’s power of eviction, required more deliberate attention; that the Irish parliamentary and municipal franchises (as indeed in private the Cabinet had agreed) needed revision, and that Ministers were also much to blame for having appointed, in place of Liberal bishops who had passed away, men bigoted against the system of ‘National Education,’ which the Government had themselves approved.

On reflection Sir James Graham regretted having announced in general terms that conciliation had reached its limits, and wrote frankly to Sir Robert Peel :

*Confidential.*

HILL STREET, June 18, 1843.

We are not only colleagues but intimate friends, and in the present state of affairs the least reserve between us would be most unfortunate. My conscience told me that you thought my speech imprudent, and you should not hesitate to warn me, for you know my reliance on your judgment.

We cannot abandon the Protestant Church in Ireland, though I am most anxious to remove every remnant of abuse which disfigures it and impairs its usefulness. We cannot give to the Roman Catholics an Establishment, and we must not yield to their threats or open violence.

But no opportunity should be omitted of winning



them to the State, of softening their resentments, of improving their education, of reconciling their clergy, of admitting them to a share of patronage, and of giving full scope to the Act of Emancipation, of which we have incurred the dangers, and have failed to reap the promised fruit.

Do not answer this note, but receive it as a proof of my sincere regard.

Already the necessity and the justice had been acknowledged of giving to Roman Catholics their full share of Government appointments. Graham was alive to the importance of this, and writes to Peel :

*July 15.*—We must take a new departure in the management of our Irish affairs, and the stream of patronage must be turned into some new channels.

Sir Robert Peel replies :

*Confidential.*

DRAYTON MANOR, *Sunday, July 16, 1843.*

We must *look out* for respectable Roman Catholics for office. There are many grounds for not rigidly acting in Ireland on that specious principle that, if Protestants are better qualified for appointments that fall vacant, Protestants ought to be preferred to Catholics.

If no Roman Catholic shall be appointed to higher office until it be shown that he is superior to all Protestant candidates, there probably will be few Roman Catholic appointments. Exclusion has been until recent years the policy of the law. The Protestants have been the favoured party. You cannot exclude for a century without that exclusion having a depressing effect, continued long after the exclusion may have been removed. The Catholics were of course last in the race of competition, and it will be long before they recover the lost ground.

Graham answers :

HOME OFFICE, *July 17.*

I assent to every word in your letter relative to the

distribution of patronage in Ireland. Our letters, which crossed yesterday, are both dictated by the same views. I am afraid that De Grey will never give effect to this policy.

Graham's fear was justified by a letter from De Grey to Peel.

*August 18.*—I do not think that it is either wise or expedient to appoint an unfit man to office merely because he is a Catholic. Conciliation is a chimera.<sup>1</sup>

One point on which Sir James found it necessary to admonish Lord De Grey was his practice as regarded police appointments and promotions.

COWES, *September 3, 1843.*

Since Eliot returned to Ireland, I have received a letter from him in which he states that of the twelve or fourteen officers appointed to the Constabulary by the present Government, not one is a Roman Catholic.

He tells me that when he met you in Dublin he called your attention to the fact, and he anticipates the probability of an attack in Parliament, and the difficulty of defence, when it is remembered that this force is established for the maintenance of peace without regard to sect or party.

In my answer to Eliot I have reminded him that the late Government exercised their patronage, which required peculiar caution, in a most improper manner, and that it might be necessary to create some compromise to the pernicious influence thus introduced, especially at the present moment, when the arts and the power of the Roman Catholic priesthood are exerted to shake the fidelity of the armed force in Ireland, and in particular of the Constabulary. I feel, therefore, all the delicacy of the duty imposed upon you in making the selection of the officers for the Constabulary.

I conclude that, although you may not have appointed

<sup>1</sup> For Peel's answer, warmly approved by Graham, Stanley, and Sugden, see the *Peel Papers*, iii. 56.

Roman Catholics to first commissions, you have promoted them in the corps as vacancies have occurred, according to their merits. There must be meritorious and trustworthy officers among them, and the reward and promotion of all such would not fail to inspire confidence and to give security. Whereas distrust might create the danger which is dreaded; for, if it can be shown that faithful service in the police by the Roman Catholics does not meet with the same reward which the same service by a Protestant commands, the difference is traced at once to religion.

In the army all distinctions on this ground have been abandoned as untenable. I admit that the analogy between army and police is not complete, yet the same general principles are to be observed. Considering the number of policemen who are Roman Catholics, whom you cannot dismiss, and whom you are bound to trust, I am afraid that the unbroken series of Protestant appointments for the last two years to all posts of rank and authority in the police will give rise to invidious comment, if not to angry feelings. Surely wherever an honest and loyal Catholic can be found he ought at least to have an equal chance with the Protestant in the public service in Ireland; his exclusion from the superior ranks of the Constabulary cannot be defended.

On the general subject of Irish patronage, in justice to Eliot, I am bound to state that, though he does not complain of its exercise without concert and consultation with him, yet on the other hand it must be remembered that he is responsible in Parliament for every act of the Irish Government; that he is justly expected and bound to defend all the measures of the Lord Lieutenant; that the disposal of patronage is one of the most important functions of the Irish Government, as indicating the temper and spirit in which it is conducted. This patronage is indeed vested in the Lord Lieutenant, but the Chief Secretary has to manage the Irish members of the House of Commons, and is required to defend every appointment which is attacked in Parliament; and in these circumstances it would seem expedient that he should be consulted and made a party to arrangements which it is his special duty to uphold. Zealous and cordial defence

can only be expected as the consequence of previous concert and confidential communication.

*From Lord De Grey*

BRIGHTON, *September 5, 1843.*

I have no right to say that the *officers* of the Royal Constabulary have *ever* given ground for alarm. On the contrary, some of the most valuable and trustworthy, and those who stand highest in the confidence of the Inspector General, are Roman Catholics. As regards the *men* there is a difference. We know that some of them have been tampered with ; and though I as Lord Lieutenant have nothing to do with the enrolment of recruits, I know that Colonel Macgregor did not feel it safe to increase the number of Catholics.

About the same time the slackness of the Irish Government in upholding civil law and order drew from the Duke of Wellington caustic remarks.

*September 3, 1843.*

I had not a knowledge of the existence of what His Excellency calls ' the Central Office,' and of the accurate reports received there of the various outrages and breaches of social order !

I heard of murders unnoticed, of illegal combinations excited by priests and demagogues to refuse to work for individual landlords and farmers. I knew that large assemblies had been collected of bodies marched in regular array, under the lead of priests, with bands and banners ; that these mobs—each of them too strong to be dealt with by the magistrate or the police on the spot—defied the law and the Government, terrified the whole country, threatened social order, which in Ireland is nearly annihilated, kept our whole disposable army and part of our naval force in check ; of all which none can see the prospect of a termination excepting through the operations of a bloody civil and religious war.

I know enough of these matters to be sensible that the most successful military operations are of no avail in settling the government of a country—in restoring social

order and respect for the authority of law—without the assistance of the course and execution of the law itself.

I request you to recall to your recollection what passed in the disturbed districts in England in the year 1842, under your own authority and direction.

We were at a very early period entirely successful with the military. No mob could collect; no mischief could be done. The military force was always ready on the spot, and uniformly and rapidly successful.

But no progress was made to restore order, to pacify the country, to restore confidence, to induce workmen to return to their labour, till the civil magistrate was enabled to come forward, till the machinery of the law was put in motion, till the powers of the law were shown to be in existence on the spot, by the trial and conviction and punishment of the offenders seized by the military force.

What I intended to suggest was that the power of the Civil Government and the terror of the law should be carried to the very seat of these evil doings; now; immediately; before we come to the necessity of these operations of massacre and blood.

If the measure should not be successful, it will do no harm. It will not weaken our force, or our means, if we are to come at last to the dreadful contest.

If it should prevent the contest—of which it cannot be denied that it affords a chance—what an advantage we shall have acquired!

I do feel great anxiety upon this subject. I see every day the injury which the continued state of things in Ireland is doing, not solely to the reputation of the Administration, but to the real permanent interests and influence of the country, abroad as well as at home.

I may be mistaken in all this. I must be so, if others take a different view upon the subject. In that case I have only to apologise to you and to Lord De Grey for having given you an opinion on an affair not under my control. My only excuse, bad as it is, is that I feel strongly.

*To the Duke of Wellington*

COWES, September 4, 1843.

I hasten to acknowledge the receipt of the important

letter addressed to me yesterday by your Grace on the state of Irish affairs.

I have stated repeatedly to Lord De Grey my earnest and anxious desire that the law should be enforced to the utmost in Ireland with energy and with boldness.

The officers of the Crown in that country perpetually press for the enactment of new laws, but I see no attempt made by them to exact the penalties of the breach of the existing law.

It is always said that juries will not convict. If it be so, let the fact be proved. Then the Executive Government will have done its duty, and the defect either in the law itself or in the administration of the law by trial by jury will be demonstrated.

I am quite sure that some decisive effort must be made to bring offenders to justice at all hazards. I shall not fail to impress this opinion on Lord De Grey, as strongly as I can. Your authority will add the greatest weight to my official recommendation, and I am disposed to write a despatch to the Lord Lieutenant on this subject, and to place on record the positive instructions of the Government.

To the Prime Minister Sir James Graham writes :

*September 5.*—The Law Officers in Ireland, if left to themselves, will make no effort to enforce the existing law. They are afraid of appearing before juries. . . . This state of affairs cannot long continue without fatal consequences. Acquittals, with the facts clearly established, would be less dangerous. I have expressed this opinion repeatedly to the Attorney General, to Eliot, and to De Grey, but as yet in vain. I begin to despair of the Irish Executive : it does not only sleep ; it is dead.

## CHAPTER XVII

### CHURCH OF SCOTLAND

1834-43

Spiritual Independence—Patronage—Taking on Trial—The Crown Veto Act—Declared Illegal—The Church deposes its Ministers for not obeying it—Graham's View—Chalmers—Gladstone—Wellington—Peel—Graham's use of Crown Patronage—Dr. Muir—Mr. Home Drummond—The Church's Ultimatum—Graham's Answer—Patronage defined—Chapels Act—Petition to Parliament—Inquiry refused—Secession—Result

**I**N Scotland Sir James Graham is best remembered as the Minister who had to deal with a dramatic conflict between Church and State, ending in the secession of a numerous and important body of clergy and laity found the Free Church of that country.

Of all Reformed Churches established in Europe the Presbyterian Church of Scotland was the most free from State control. By its Constitution, guaranteed in the Revolution Settlement (1690) and in the Act of Union with England (1707) its courts were in things spiritual supreme. In that department the authority of the Church excluded every other. From lower church courts appeals lay to higher church courts, but with neither could any lay court interfere, in spiritual questions.

It was only if, in defiance of the Constitution, church courts attempted to extend their jurisdiction to things temporal, and when injured parties appealed against such

encroachment, that it became the duty of the civil courts to look into the case, and if necessary protect, or give redress.

In the last resort, if church court and civil court disagreed as to the bounds of their jurisdictions, it lay with the Legislation to declare its will.

Such was the controversy that in Sir James Graham's time arose, and at first the conflict raged about a single question—Patronage.

Patronage, in the Revolution Settlement, had not been, as was sometimes loosely alleged—'abolished.' It had been transferred from individuals to a collective body, first to the Kirk Session, and afterwards to the 'heritors' (landowners), and 'elders' (ordained laymen) of each parish. But in 1711, shortly after the Union with England, in the absence from Parliament of the Scottish members, and in violation, as they held, of the Act and Treaty of Union, was passed an Act of Queen Anne, taking from the heritors and elders the right to 'propose' a candidate, and giving it back to individual lay proprietors, chief among whom was the Crown. Against this Act the Church long maintained a solemn protest, but in vain.

Against 'intrusion' of an unfit minister, however, they had two safeguards. The one lay in the duty of the Presbytery concerned, to try the nominee and reject him if unfit. The other safeguard lay in the requirement of 'a call,' that is, an invitation from the parishioners.

But, in practice, both these safeguards had been impaired. The judicial decisions of Presbyteries had usually been confined to questions of learning, character, and doctrine. And 'the call,' by the persistent action of the Church itself, during the long reign of the 'Moderate'



party, had become, in the words of Dr. Chalmers, 'an antiquated but still venerable form.'

It was with a view to make this form again substantial that the 'Evangelical' party, having grown in numbers, in 1833 proposed, and in 1834 carried, the Veto Act. This was an Act of Assembly, forbidding Presbyteries, if a majority of heads of families, being communicants, should intimate their dissent from a call, to proceed to trial of the candidate proposed. The promoters of the Act believed it to be within the powers of the Assembly so to legislate, and regarded it as a mild but effective means to give new life to their principle of 'Non-intrusion.'

But this Veto Act deprived the patron of a statutory right—the right to have his candidate 'taken on trial,' and, if duly qualified, accepted—and thereby tended to bring Church law into conflict with State law.

Cases soon occurred. A Presbytery (of Auchterarder) obeying the Veto Act, refused to take a presentee on trial. The patron appealed to the civil Court of Session, and the Court held that to refuse even to try a candidate legally presented was to inflict on him, and on the patron, a civil wrong.

On this construction of the statute the Church appealed to the House of Lords; not (they said) as to the spiritual charge, on which they did not admit civil jurisdiction, but as to the temporalities. The House of Lords, however, dealing with the larger question, confirmed the judgment of the Court of Session, that there had been a civil wrong.

Another Presbytery (of Strathbogie), having a majority opposed to the dominant Evangelical party, were willing enough to perform their statutory duty, but, in deference to the Church Act, would not take the vetoed presentee

on trial until the Court of Session bade them do so. They then tried him, found him fit, and ordained him. For this disobedience to the new Church law the General Assembly first suspended and afterwards deposed the whole majority of the Presbytery, seven in number.

And when, under legal advice, the seven ministers continued quietly to discharge their duties, the Assembly sent other ministers, chosen for their zeal and eloquence, to invade their parishes, and attempt to draw away their congregations.

Before this the leader of the Evangelical party, Dr. Chalmers, being on terms of friendship with Graham, had hoped to enlist him on the popular side.

*From Dr. Chalmers*

EDINBURGH, *June 6, 1839.*

The speeches of Lord Brougham and the Lord Chancellor (Cottenham), in the Auchterarder case have made our Church feel that nothing short of a full declaration of principle would meet the exigencies of our present crisis.

No one regretted more than myself the necessity for our present stand.

I had fondly hoped that the perplexity was extricable by a transference of the question from the people to the Presbytery, for whose liberty to admit or reject a presentee on their own judgment of his special fitness I have all my life contended.

But even this is virtually taken away from us ; and, rather than be placed at the feet of an absolute and uncontrolled patronage, there are many, very many, of our clergy and those the most devoted and influential in Scotland, who are resolved to quit the Establishment, and who, if they do go, will, by stripping it of all moral weight, leave it a prey for the Radicals, and Voluntaries, and demi-infidels, both in and out of Parliament, who are bent upon destroying it.

My feeling is that an adjustment is quite practicable,

and that, under the powerful sanction of such men as Lord Aberdeen and other Scotch peers, a proposition satisfactory to the Church might find its way through both Houses, and, by having the civil sanction appended to it, might harmonise what we deem to be indispensable as an ecclesiastical principle with the continuance of our National Establishment. You will lay us under an obligation never to be forgotten if you can in any way expedite and advance an object so desirable.

Ere I conclude, I cannot help observing that Conservatism has nothing to fear, but everything to hope, from giving the people a greater interest and share than heretofore in their Church and their clergy. It may create a little parochial effervescence here and there, but we may rest assured that the whole of the ecclesiastical influence brought to bear upon the masses, whom we shall attach to the Establishment, will be on the side of peace and loyalty. Whereas a Church exclusively in the hands and under the uncontrolled patronage, of the upper classes will, in the present state of the public mind, fall to pieces in a very few years.

I earnestly wish that this view could be adequately impressed upon those statesmen who have the cause of social order and the stability of our institutions at heart

At the same time Sir James was in correspondence on the subject with Mr. Gladstone, and with the Duke of Wellington.

*From Mr. Gladstone*

LINCOLN, December 5, 1839.

You are probably paying attention, as I am to the best of my ability, to the singular and interesting course of events in Scotland which relate to the question of Church Patronage.

Your warnings at Glasgow,<sup>1</sup> which indeed were much more earnest than sanguine, have fallen upon deaf ears. There are few questions more threatening, and none, as I think, more difficult; because, in my belief, the

<sup>1</sup> As Lord Rector. See pages 273, 274.

present complication is caused not merely by the excitements of the day, nor (as the Dean of Faculty<sup>1</sup> says, by the ambition of the Scottish ministers, but by principles really embodied in the Presbyterian polity, though disclosed and valued in very various degrees at various periods.

The Dean is fearfully long, and concludes and recommences, which is provoking, ten or twelve times. I am now upon Dunlop's answer to him, which, professing brevity, approaches two hundred pages—a laborious but able document, certainly showing that, if the postulates of Presbyterianism be granted, the right is not all on our side.

Sir James replied :

*December 8.*—I have long felt great anxiety on the Church Patronage question. It excites the strongest feeling in all classes of society throughout Scotland, where differences of a religious character are never lukewarm.

I have endeavoured to read the Dean of Faculty's pamphlet, but it is tedious beyond endurance, and proceeds on the assumption that no argument is good unless it be repeated twenty times.

I had hoped that Dr. Chalmers and Lord Aberdeen might, without a sacrifice of principle, have devised some middle term, to which general assent might have been given. But this war of pamphlets forbids the hope.

It is but one step from the Veto to Voluntaryism, and in their religious zeal, if disappointed by the Conservatives, the advocates of the Veto will take that fatal step.

Some legislative interference is necessary, for the severance of the Kirk from the State is complete when the nominee of the lay patron enjoys the temporalities but is excluded from spiritual functions, and the nominee of the ecclesiastical authorities performs the spiritual functions but is excluded from the benefice.

We will talk this over when we meet.

<sup>1</sup> John Hope, afterwards Lord Justice Clerk.

*From Mr. Arbuthnot*

STRATHFIELDSAYE, December 10, 1839.

There is one subject which occupies the Duke's mind greatly at present. This is, the alarming strides which the Voluntary principle is making in the Church of Scotland; promoted as that principle has been by the inadvertent language of Lord Melbourne, and still more by the overt acts of Lord John Russell.

*To Mr. Arbuthnot*

December 13.—My attention has long been directed to the Church Patronage question in Scotland. It is impossible to over-estimate its importance.

When it was proposed to me last year that I should be chosen Lord Rector of the University of Glasgow, I carefully guarded myself on this particular point. I declared that I was opposed to the popular veto, and declined the honour if any compromise of my opinion on that point was required. Notwithstanding this avowal, I have been twice elected after a contest.

The clergy are much divided. The Evangelical party, with Dr. Chalmers at their head, are prepared to secede from the Establishment if a law be not passed confirming the Veto, which the courts of law have declared to be an innovation.

This secession from the Establishment will be union with the Voluntaries.

The controversy has now assumed so angry an aspect that I have little hope of reasonable adjustment. I am very glad that the Duke is considering it.

Sir James wrote also to Mr. Colquhoun, a Scotch member :

December 25.—You must be aware of my reluctance to give the popular will the commanding influence over clerical appointments, which you are disposed to concede.

The Commission of the General Assembly has thought fit to brave the law, and enter on a struggle for mastery with the constituted authorities of the State.

The majority of a Presbytery, yielding obedience to the law, have been punished for this obedience by severe ecclesiastical penalties, and the Supreme Court of Judicature in Scotland has unanimously pronounced the penalties thus sought to be inflicted unjustifiable and illegal.

I am not blind to the political consequences of this struggle. I foresee its fatal effect on the peace of Scotland. But still I am bound to ask myself : Is the concession which I am invited to make in the hope of peace reasonable in itself, safe in its probable consequences, and justifiable on the principles which ought to govern an Established Church ?

I cannot allow my sense of right on matters of such high importance to be overborne by the hope of conciliating parties whom no half measure will satisfy, and on whose assurances no reliance is to be placed.

You know my opinion of Dr. Chalmers. I admire his talents ; I acquit him of worldly ambition ; I give him credit for genuine piety and fervent religious zeal. But I can no longer trust his prudence, or believe his promises.

Last winter he declared to me and Sir William Rae, at Possil, that he would contend no more for the Veto, but be content with the ecclesiastical jurisdiction of the Presbyteries, to the exclusion of the popular voice. The General Assembly witnessed his observance of this declaration ! And why he should become more enamoured of the Veto when, by a judgment of the House of Lords, he has ascertained it to be illegal, remains to be explained.

Nay, such is his infirmity of purpose that you describe him as twisted, against his judgment, to follow a course which the evening before he had promised you not to adopt. Yet it is on his assurance that you mainly depend for the healing effect of the concession which you now propose. In the present temper of the Church this is neither more nor less than a transfer of the power of nomination from the patron to the people.

If I were prepared to go that length, I think it would be wiser to enact the Veto Act at once. Ostracism was never carried to the length that the citizen who omitted to put in his bean should be counted as voting for condemnation.

I cannot ask Sir Robert Peel directly or indirectly to

sanction any such proposal from our side. It will be far safer to deal with the measure of the [Whig] Government.

On our part no disposition is wanting to effect a settlement on safe and just principles. I have not communicated with Sir Robert Peel on the altered state of the case. But I am quite sure that neither the Dean of Faculty nor any other person can fairly be supposed to speak his sentiments. He forms his opinions carefully for himself.

*From Sir Robert Peel*

*December 29, 1839.*

You cannot overstate my reluctance to agree to the proposal made by Mr. Colquhoun. Nothing should induce me to fetter myself by the sort of equivocal engagement which he suggests respecting contingent support to his measure.

Little eventual good would come out of precipitation in matters of such lasting importance, and I cannot conceive anything more unworthy than the proposed bidding at the auction for the short-lived favour of the heated zealots of either party.

I should feel thus with respect to any measure, however plausible, connected with the present state of the Church question—should feel it perfectly indecent to commit myself without very full communication with Scotchmen upon such a subject. But Mr. Colquhoun's plan is neither more nor less than popular election, and leads directly to every evil and abuse of canvassing and all the low artifices by which popular election can be influenced.

I have as much to do with John Hope's pamphlet as with the last speech of O'Connell. Whenever I employ John Hope to speak my opinions, I will ask him to convey them more briefly and more methodically than he conveys his own.

To Dr. Chalmers Sir James wrote firmly, but kindly :

*Private.*

*NETHERBY, December 30, 1839.*

Even when I differ from you most widely I am not actuated by the spirit of controversy, and I can never cease to feel respect for your motives, admiration of your

talents, and those kindly sentiments of regard which domestic intercourse with you never fails to inspire.

While a hope remained that schism in the Church of Scotland might be averted, and the conflict of extreme opinions arrested, by the interposition of friends, I was willing to give my humble assistance, for the sake of religious peace among a people whose welfare is dear to me.

But the controversy has now assumed an aspect which forbids the hope of amicable adjustment. The civil and ecclesiastical authorities have been brought into open collision; the Church is divided against itself. The Committee of the General Assembly declines to apply for legislation in its own name, and prefers an appeal to the people against 'a lordly, absolute, and high-handed patronage.'

I am led to the painful conclusion that, unless the existing law be reversed, your Committee contemplates with complacency the severance of the Kirk from the State, and the maintenance of the officiating pastors by voluntary aids.

From the moment that the power is yielded of enforcing a decree that the Call, to be effectual, shall be subscribed by a majority of the heads of families in communion with the Church, the popular veto is triumphant, the right of patronage is virtually transferred to a variable and irresponsible multitude, whose votes are not to be challenged even on cause shown.

No man can regret more deeply than I do the fatal turn which this question has taken. I have often said to you that its tendency was to revive the old dispute between kingly government and theocratical Church polity; and it would lead either to a large and dangerous secession from the Establishment, or to direct severance of the Kirk from the State.

We are fallen on evil times. My forebodings are realised, and it grieves me that, at a moment of great danger arising from democratic excitement, fresh impulse should be given to the movement by proceedings which receive your sanction.

I am not blind to the consequences as affecting the interests of the Conservative party. But I cannot allow any such considerations of temporary expediency to



sway my judgment, in a matter where principles and interests of permanent importance are at stake.

The purity and usefulness of the Church of Scotland never shone more conspicuous, or were more universally recognised, than at the time when this ill-omened controversy arose. If compromise were still possible, on reasonable terms which did not involve the surrender of the whole case, I should rejoice in the settlement. But I must confess to you that I do not see my way; the violence of recent proceedings has so much embroiled the quarrel.

You will receive in a friendly spirit the frankness of this letter, of which I request you to make no public use.

Dr. Chalmers replied :

EDINBURGH, *January 6, 1840.*

Your letter has both greatly saddened and greatly solemnised me. I now begin to fear in good earnest that the difference of our views is beyond the reach of mutual explanation. When there is the want of all common ground, the want even of common first principles, it becomes a case unmanageable by argument.

I must not annoy you therefore by any further lengthened exposition of the subject. Yet forgive me if, on the chance that the diversity of understanding betwixt us is not altogether hopeless, I take the liberty of presenting you, in a few distinct sentences, each of them as brief as possible, with the counterparts to the various statements of your letter, and in the order of their occurrence.

The 'few distinct sentences' are eighteen, of which three may here suffice.

4. The indispensable, the vital, object at stake is the uncontrolled management of our own ecclesiastical affairs.

5. The Act of Queen Anne was obtained, by the infidel and Jacobite Bolingbroke, for the very purpose of punishing the Church and people of Scotland for their adherence to the House of Hanover. At the same time

the Act did not supersede the Call, which was proceeded upon for many years after the restoration of Patronage ; and was subsequently made effete, not by the civil but by the ecclesiastical power—by a series of decisions on the part of the General Assembly ; whose power in the final determination of every settlement was never questioned till now, when [it is] exerted on the side of the people and, I will add, on the side of an effectual ministration of the Gospel throughout Scotland.

14. The power by the Church of pronouncing on the special fitness of any presentee is the almost universal demand of Scottish churchmen. They among us who are most opposed to the popular contend at the same time for the presbyterial veto.

I will not relinquish my hope still of a better understanding, though my confidence is grievously shaken by your communication. I never felt my sentiments of esteem and regard for you with such impression of tenderness on my heart as I do at this moment. It is like taking leave of a much-loved acquaintance, from whom perhaps for life we are to be separated.

Though in your elevated sphere and my humble walk we stand widely separated from each other, you will perhaps at times think of me. I look back to the few days spent under the same roof with yourself and Lady Graham as one of the most brilliant and memorable passages in my life ; nor can I lay down my pen without the offering of my benedictions and my prayers both for yourselves and for your children.

The question of patronage was of high practical importance, and in September, 1841, when Sir James Graham became responsible for the Church patronage of the Crown in Scotland, he gave his mind at once to the question how best to use it for the general religious welfare of the country, including maintenance of the constitutional tie between Church and State. As to the practice of his predecessors, he got information from one who had been Lord Advocate in 1819, and now filled that office again.

*From Sir William Rae, M.P.*

*September 16, 1841.*—During the Duke of Wellington's Government the rule generally observed by Sir Robert Peel was to give the presentation in favour of the person whom the parish wished, provided all parties in the parish were united in such wish ; but in the case of one party being in favour of one individual and another in favour of another, he, instead of giving the presentation in favour of either—which would have been giving a victory to one party over the other and prove likely to lead to discontent—bestowed it on some other minister, generally unknown to the parish, but on whose fitness he had full reliance.

The last [Whig] Government within these few years introduced a different rule. They presented the parish with a list of five persons, leaving the parish to choose the presentee from among them. This list, I understand, generally consisted of individuals for whom the Government had a preference, without respect to the wishes of the parish.

It will be for you to determine which of these modes is to be preferred, or if there be a third way in which the matter can be better adjusted.

Sir James preferred Sir Robert Peel's plan.

*To Sir Robert Peel*

*November 6.*—The late Government placed the Crown Patronage in abeyance, by granting to the communicants a leet of the ministers, when a vacancy occurred, thus substituting election for nomination.

I am disposed to revert to your practice. Where unanimity prevails in recommending a particular clergyman to a vacant cure, such recommendation ought to have great weight ; where the heritors and parishioners are divided, the Crown must exercise its power of selecting ; and that selection, with a view to the future peace and religious unity of the parish, will not usually be in favour of either of the rival candidates.

He refused to act on private solicitations, writing for instance :

*To Mr. Colquhoun, M.P.*

I am forced, by a rule established for my own guidance, to refuse even to my most intimate friends the promise of Church preferment in Scotland.

*To Lord Brougham*

August 4, 1842.—My respect and regard for Lord Moncrieff are sincere, and if I consulted my own private feelings, I might hold out expectations. But in the present state of Church matters in Scotland I am charged with the performance of a public duty in the distribution of patronage which requires peculiar caution, and in these circumstances I can make no promise and encourage no hope.

*To Sir Robert Peel*

You will remember how angry Campbell of Islay was because I would not appoint a clergyman whom he recommended. I have great pleasure in sending you Dr. Muir's account of the reception of the gentleman whom I nominated. This exercise of patronage, steadily pursued by the Crown, will produce a great effect before long in Scotland.

The one person whom Sir James consulted most was Dr. William Muir, Moderator of the General Assembly, when there was an Evangelical majority, in 1838.

*To the Rev. Dr. Muir*

October 25, 1841.—One of my most important and sacred duties is the distribution of the Church patronage of the Crown in Scotland, and I am anxious, in the strictest confidence, to consult you upon it.

I am resolved absolutely to renounce this patronage as a source of political influence. My wish is to give to each vacant parish an Evangelical minister, whose preaching may be suited to his hearers, whose life and

conversation shall be pure, whose demeanour may edify his neighbours, and win them to the paths of piety and peace.

I do not wish him to be a politician, but he must not be a Radical ; and in the fatal conflict which has arisen in the heart of your Church he must incline to the side of law and order—renounce the extreme opinions of Anti-patronage and Non-intrusion.

I shall be asked, where am I to find such a minister ? I am disposed to think that you can find me such within the pale of your Church.

At all events, I can rely on the information which you give me. When you find me resolved not to abuse the sacred trust committed to me, you will not mislead me.

Touched by such an appeal, Dr. Muir replied :

EDINBURGH, *October 27.*

I feel deeply affected and solemnised by the confidence which you are pleased to repose in me, in a matter so momentous as the exercise of Church patronage.

The trust bestowed on the patrons of Churches is truly an awful trust. As arranged by Divine Providence in our Churches, it is a beautiful and most beneficial ordinance. The patrons cannot take up what men they like to put them into cures. The rulers in Christ's house prepare the men for you. And these rulers, too, afterwards judge whether those whom you select from the prepared men are suited to the special cures for which you nominate them. The whole arrangement is finely framed for binding the ecclesiastical and civil interests, the land and the Church, in harmony. Would to God that all were to see it in this light, and leave the arrangement undisturbed !

Permit me, with all respect, to express a word of unmingled delight at the principles and resolutions contained in your letter. . . . The irresistible desire of my heart leads me to declare how thoroughly every statement which you make as to the grounds on which your solemn trust is to be exercised commands my respect and admiration.

Forgive me, however, when I urge it as necessary that the ultimate responsibility in this matter be laid where the Providence of God has laid it. I am at your command to look out for the best qualified individual ; I am ready to carry on searching inquiries. I shall then place all the testimony I have gathered under your eye, shall apprise you, moreover, of every channel by which you can gain information, and shall offer you, with all deference, the conclusions to which I have come.

May I be permitted further to say that the first and supreme requisite in the persons whom I seek out for you is devotedness to the grand object of the clerical profession—I mean the bringing of sinners to the Saviour ? For this purpose the preaching of evangelical truth with simplicity and seriousness and fervour is requisite ; and also the endeavour calmly, steadfastly, and affectionately to do the work of an evangelist in the parish.

*To Dr. Muir*

*December 10.*—Your reasons against the appointment of — are quite conclusive. The cold, metaphysical, and didactic style of preaching is not at all in accordance with my view of the just desire of the people of Scotland, which I am most anxious to satisfy. The scriptural, the evangelical, the spiritual, pierces the heart of the hearer, and, by the blessing of God, brings the glad tidings of salvation. It is on this principle that I wish to exercise patronage.

*To Sir Andrew Agnew, Bart.*

*November 26, 1841.*—It is the first duty of patrons to consult the reasonable wishes and the spiritual welfare of the parishioners, and my belief is that from the wholesome pressure of public opinion the abuse of patronage is diminishing day by day.

I am anxious that the objections of the people should be freely stated and fully considered, and that the judgment should rest with ecclesiastical authorities. But the admission of popular election in the choice of ministers appears to me dangerous, and derogatory to the dignity and independence of the sacred calling.

I am very friendly to the Church of Scotland, and I deeply regret the fatal divisions which have made a breach in her holy walls. The infidel and the scoffer may well rejoice, but the pious and the reflecting must be grieved to the heart.

I quite despair of any remedy. The leaders of the Non-intrusion party will listen to no reasonable terms, and the evil must work its way.

*From Mr. H. Home Drummond, M.P.*

BLAIRDRUMMOND, December 24, 1841.

Your explanation of the principles on which you are desirous to act in filling up our vacant livings is exactly what I would have asked as a guide for my own conduct, and I cordially concur in your views.

When Sir Robert Peel held your office, he gave me a similar statement of the grounds on which he thought it right to proceed in exercising the Crown patronage in Scotland; and in acting on my recommendations—which were made, in compliance with his desire, indiscriminately from both sides of the Church—he succeeded in every instance in appointing individuals that were acceptable to all classes of the people.

We are now in more difficult circumstances, and you may rely on my not wishing to incur more responsibility than you are disposed to throw upon me.

Whatever appointments we make, we may be prepared for obloquy.

Such was the spirit in which candidates for the ministry were proposed by Sir James Graham, Sir Robert Peel, and their advisers. Nothing could be more unlike 'a lordly, absolute, and high-handed patronage.' Compare it with patronage in the Church of England.

Instances there were, no doubt, in Scotland, of patrons using their right to present in an overbearing spirit. But in any such case the Church was free to exercise its right of pronouncing the nominee to be unfit. They preferred

to hand over that responsibility to the congregation, and take their stand on their new Veto Act. The civil courts had declared it to be an invasion of civil rights. Yet the Church strove to enforce it by deposing every minister who on that ground declined to obey them.

Space would fail to record the attempts made to negotiate a *modus vivendi* in this question between Church and State.

The ultimatum of the Church was practically this :

Either (1) abolish Patronage ; or,

(2) limit Patronage by Popular Veto ; or,

(3) limit Patronage by Presbyterial Veto, with free judgment—*liberum arbitrium*.

For the State Graham, in substance, answered :

(1) We will not abolish Patronage.

(2) We will not give Popular Veto.

(3) Presbyterial Veto you have. Free judgment of the Presbytery you can have, but not as a disguise for Popular Veto. Presbyterial Veto must be judicial.

Judicial Presbyterial Veto was what was asked at first by Dr. Chalmers.

In framing his official reply Sir James adopted a suggestion from the Prime Minister, who advised :

The more I think of it, the more I am in favour of putting upon record what we mean by 'the law of patronage,' instead of merely saying, 'We will not alter the law of patronage.'

Sir James wrote therefore officially to the Moderator of the General Assembly, in terms clear as crystal :

*December 30, 1842.*—Doubtless in times past the right of patronage has been abused ; but stringent and wholesome correctives have been progressively applied.



The choice of the patron is now limited to licentiates, who derive their right of preaching from the will of the Church, who are subjected to long training under ecclesiastical discipline, and who undergo the most strict examination before the licence to preach is granted. The power of rejecting candidates for this licence is absolute in the Church.

But even after this ordeal the presentation of the patron only opens the way to a second examination. The licentiate, when presented, is taken on trial by the Presbytery; his qualifications are tested; if he be not fit, and suitable to the congregation, objections are stated; reasons are heard, of which the Presbytery alone may judge; and, although presentation is a civil right, examination belongs exclusively to the Church court.

It is open to the Presbytery, acting as judges, either to give effect to objections on cause shown, or to overrule them, making in both cases a judicial deliverance.

Admission also is an ecclesiastical matter. The Church court alone can create the pastoral relation between the presentee and his parish, or dissolve it when it has been created.

The licence, then, which precedes presentation is in the power of the Church; the examination and admission which follow it, and without which presentation is ineffectual, are fully conceded to the Church; and, unless it be contended that Patronage itself must be either directly or indirectly abolished, the matter in dispute is reduced to narrow limits.

The refusal to *take the presentee on trial*, under the operation of the Veto Act, constituted the defeat and violation of the patron's legal rights. The statute [of Queen Anne] is imperative; the presentee is entitled to be taken on trial; the Veto Act interposes an obstacle.

This obstacle can be of no avail except in defiance of law. And it is no answer to say that the Presbytery is an ecclesiastical body; for this is neither more nor less than a claim for churchmen of exemption from the duty of obedience to statute law.

If the Veto Act, which is illegal, were rescinded by the Assembly, the respective rights of the patron to present, of the congregation to object, and of the Church courts

to examine, to hear, to judge, and to admit or to reject, would be clear and well defined.

In the hope of peace Lord Aberdeen, one of Her Majesty's present advisers, sought by legislation to remove doubts, which by some were supposed to exist, respecting the admission of ministers to benefices in Scotland, by declaring the law, and by defining with precision the respective rights and powers of the different parties interested in the settlement of a minister.

In the same spirit I expressed, on behalf of the Government in the course of last session, willingness to attempt legislation on these same recorded principles, hoping that both the Church and people of Scotland might be found desirous to end this unhappy controversy on terms strictly conformable to Presbyterian discipline and to established rights.

The Acts of the General Assembly—the 'Claim, Declaration, and Protest,' the 'Address against Patronage,' the demand for repeal of the statute of Anne—have unhappily diminished these reasonable hopes; and Her Majesty's ministers, now understanding that nothing less than the total abrogation of the rights of the Crown and other patrons will satisfy the Church, are bound with firmness to declare that they cannot advise Her Majesty to consent to any such demand.

From several friends this answer drew warm approval.

*From Lord Brougham*

I enclose a letter from Lord Cuninghame, one of the *great* Scotch judges. His alarm at the sentence about which I wrote to you [offering declaratory legislation?] is, you see, like mine. But he joins in admiration of your letter, indeed in *wonder*.

*From Dr. Muir*

I feel deeply the obligations under which the Church and the country are laid by a document expressed throughout so clearly, and with a tone at once so respectful, conciliatory, and firm. I have now gathered opinions upon it from all quarters. The effects of its perusal are

most happy. It has succeeded in doing more to resolve the Church question in the minds of men of common sense than anything written before.

But the Church leaders had resolved not to accept the terms offered.

*To Sir Robert Peel*

January 17, 1843.—The rejoinder [from the Moderates] is ably written, but it only makes the matter in dispute more clearly perceptible.

Meanwhile another question had become practical. In populous parishes the Church had formed districts known as 'parishes quoad sacra,' and served by chaplains of ease; and it was doubtful whether ministers of such districts could act legally in Church courts. To enable them to do so, the Church passed a Chapels Act; but, on appeal, a civil court ruled that, Church courts being judicatories of the State, their decisions as such would be invalidated if any one took part in them without title known to civil law.

On this point Sir James sent to his colleagues a memorandum advising legislation:

WHITEHALL, January 27, 1843

*Private.*

I incline to the opinion that *quoad sacra* ministers might, by a new enactment, be admitted with safety the full rights and privileges of parochial clergy.

Later on Sir James gave instructions for the Bill:

*To the Lord Advocate*

*Private.*

April 9, 1853.—The appeal in the *Stewarton* case is abandoned, and we must now consider the position of legislation with regard to Church discipline in *quoad sacra* parishes.

I incline to give them Kirk Sessions, but to exclude the ministers from sitting in the Supreme Church Courts unless an endowment of £150 a year be secured.

If we legislate on this point, an opening will present itself in the same Bill for removing doubts with respect to the power of Presbyteries in adjudicating on objections raised against presentees when taken on trial.

We must not go one jot beyond my letter to the Moderator ; but this I still believe to be within the limits of the law of Scotland, notwithstanding the strong assertions of the Ex-Chancellor [Cottenham] in the House of Lords.

I wish you would try your hand in blending the *quoad sacra* enactment with the provisions of the amended edition of Lord Aberdeen's Bill.

If the Veto Act were repealed, and if we could rely on an amnesty in favour of the Strathbogie ministers, we might then legislate with honour in the present session, and, as I am disposed to think, a just and good arrangement might be effected.

But the controversy could not thus be stayed. Between Lord Aberdeen and Dr. Chalmers there had been an angry misunderstanding as to Presbyterial Veto. The issue on this point between Church and State is put fairly by a Non-intrusion leader, Dr. Candlish :

Our opponents insist that in every instance the rejection of the presentee must proceed on a judgment of the Church courts upon the reasons of the people and the qualifications of the presentee. They would give the Church courts all possible latitude in coming to that judgment, even to the extent of the most whimsical caprice ; and this is their *liberum arbitrium*, or discretionary power, vested in the Church.

But this is not the kind of measure to which we have ever said we would submit. We insist that the Church courts must, at the very least, have liberty in every instance to reject exclusively on the ground of the dissent of the people.

On this point the difference between what was asked

and what was offered may not seem enough to warra secession.

On the other practical question—of giving a legal ti to vote in Presbyteries and General Assemblies—the Government was prepared to enact all that the Chur could reasonably desire.

But unfortunately by this time impassioned eloquer ecclesiastical and forensic, angry pamphlets, newspay articles, and popular harangues had so inflamed the pub mind that the question had gone beyond what w practical. The war-cry was no longer 'Non-intrusio but 'The Crown Rights of Christ!'

The Church leaders, finding that neither Whig n Conservative political leaders would grant their extren demands, drew up a Petition to Parliament, setting for the alleged encroachments on their spiritual jurisdicte But both Houses of Parliament were, by large majoritie against the Claim. In the Commons there were four willing to inquire no more than seventy-six member Of Scotland's fifty-three, twenty-eight did not suppo inquiry; sixteen did not vote at all.

After that no course was open to the leaders but submit or to secede. Submit they would not, and wi vigour they began to organise secession.

There was still a question that gave Sir James Graha some anxiety. Would an attempt be made to tre separation from the State as an act of the Church? seemed possible. The Veto Act, the deposition of seve ministers for not obeying it, the Chapels Act, the Clai of Right, the Petition against Patronage, had been ac of the Church. Why not the Secession also, if a majori for it could be obtained? and if *quoad sacra* ministe had votes a majority might be obtained.

But, happily, on this point there was no unseemly wrangle. All behaved with dignity worthy of the great occasion. Headed by their Moderator, Dr. Welsh, the seceders withdrew, passing quietly, but with much popular admiration, through the streets of Edinburgh, to their new place of Assembly, where they installed, as first Moderator of the Free Church, the venerated Dr. Chalmers.

Since then sixty-three years have thrown their light on these proceedings. In Christian work the Free Church has prospered beyond all example, and the Established Church has recovered from the heavy blow of losing so many of its most highly valued members. On their departure the Church unanimously repealed the Veto Act and the Chapels Act, gratefully accepted legislation tendered by the Government on the Patronage and *quoad sacra* questions, and so remained the freest Established Church in Europe.

But in the later history of the Churches two startling changes have occurred.

1. In 1874 the Established Church, having quietly pressed the claim for 'Non-intrusion,' obtained from Parliament, with consent of the Crown and other patrons, an Act abolishing patronage, and vesting the proposal of candidates for the ministry in the majority of communicants and adherents. And, after thirty years' experience, popular election has worked well.

2. In 1900 the Free Church and the United Presbyterian Church passed Acts effecting a Union between them, and purporting to vest their property in the 'United Free Church.' Against this a minority of the Free Church appealed to the Court of Session, who gave judgment unanimously against them. But in 1904 the

House of Lords, on appeal, set aside the judgment, holding that the United Free Church of Scotland had no right, title, or interest in the property of the Free Church. This was chiefly on the ground that one of the fundamental and distinctive principles of the Free Church was the doctrine of Establishment, and in uniting with a Voluntary Church that principle had been set aside, so that the property of the Free Church remained with the minority who still held the doctrine.

No doubt Dr. Chalmers as a leader had used all his eloquence and vigour of effective iteration to place on record beyond contradiction the principle of Establishment, not indeed on a par with, but in close alliance with that of Spiritual Independence, as a distinctive tenet of the Free Church of Scotland. In his first official address as Moderator of their new General Assembly he said :

To be more plain, let me be more particular. The Voluntaries mistake us if they conceive us to be Voluntaries. . . . Though we quit the Establishment, we go out on the Establishment principle. . . . We are the advocates for a national recognition and national support of religion, and we are not Voluntaries. If on the flag of your truly free and constitutional Church you are willing to inscribe that you are 'no Voluntaries,' then . . . in golden characters may be seen and read of all men this other inscription, that you are 'no Anarchists.'

Dr. Chalmers succeeded in inscribing on the flag of the Free Church that they were 'No Voluntaries.' But from such testimony succeeding generations fell away, until that took place in 1900 which Sir James Graham foretold in 1839: 'This Secession from the Establishment will be Union with the Voluntaries.' In that prophecy the statesman saw further than the Church leader.

## APPENDIX TO CHAPTER XVII

It has been alleged that on the Claim of Right in later years Sir James Graham changed his mind.

Describing an interview with him in March, 1853, Dr. Buchanan says : ' Sir James Graham was at pains to tell us [a Free Church deputation on another subject] how deeply he regretted his share in bringing about the Disruption. He said he would never cease to regard it with the deepest regret and sorrow, as the saddest event in his life, that he should have had any hand in that most fatal act.' <sup>1</sup>

As Free Church historian of ' The Ten Years' Conflict,' Dr. Buchanan, being familiar with the contentions on both sides, but not so personally with the Home Secretary, may well have been unprepared for the deep sorrow with which Sir James was wont to dwell upon the fatal controversy that led to the Disruption, as his saddest experience in public life.

Meeting in person, ten years after that event, men who had sacrificed to sincere conviction all their interests, secular and sacred, as ministers of an Established Church, he would naturally be much moved. With his habitual manly frankness he would not avoid the subject ; in courtesy he would not reopen questions on which he and they had differed, or suggest to them that they were themselves to blame. He would not assume that in difficult circumstances his own action had been always right, and he would express sincere regret that, on behalf of the Government, it had been his painful duty to make the stand which brought on final separation.

<sup>1</sup> *Life of Dr. Robert Buchanan*, pp. 207-8.



But that would be far from saying that—as some have made bold to assert—

He looked back with deep regret upon the course which had been followed by the Government in 1843, and was convinced, when too late, of the error into which, in deference to the judgment of others, he had fallen.<sup>1</sup>

That he ever held such language is in itself most improbable, in his private papers there is no trace of it, nor was it suspected by his family or friends.

His daughter, who sometimes acted as his secretary, and has charge of all his papers, writes :

You ask me if I have any reason to think that my father in later years changed his view of the Scotch Church question, and I can decidedly say No ! He never said so in my hearing, and never implied any doubt on the matter.

He always spoke with deep sympathy (one might say respect) of the seceding ministers leaving their mansees and being practically homeless.

It would seem that his lasting sympathy for the sufferers (by their own action) was mistaken for regret that he had taken part in the act.

Sir James Graham's letter to Mr. Colquhoun—the paragraph beginning 'I cannot allow my sense of right, etc.'—and the letter to Dr. Chalmers of December 4, 1839, are the true expressions of what he felt in the matter ; and what he had so anxiously and carefully thought out from the first as being 'right' he maintained to the end of his life. Of this I am convinced.

<sup>1</sup> Torrens, *Life of Sir James Graham*, ii. 233.

## CHAPTER XVIII

1843-44

The Great Repeal Year—Repeal Rent—Repeal Cavalry—Clontarf Meeting prohibited—Military precautions—Indictment of O'Connell for Conspiracy—Special Jury—Omission by Negligence or Fraud—All Catholics excluded—Conviction of O'Connell—Writ of Error—The Lords reverse the Irish Judgment—Graham's Comments—Opposes Wellington's Wish to arm Yeomanry—And to train Orangemen—And to call out Special Constables—Prohibits political use of Arms Act—A Conciliatory Policy—Bequests Act—New Colleges—Maynooth—Rome.

**T**HROUGHOUT the autumn of 1843 the agitation in Ireland for Repeal of the Union grew briskly. Vast crowds assembled to hear the stirring appeals of O'Connell. From January onwards he had boasted that 'this is, and shall be, the great Repeal year,' and the subscriptions for 'Repeal Rent' rose to more than £2,000 a week. Orange-men also became more troublesome.

### *To Sir Robert Peel*

*September 8.*—Lord Roden's conduct at Belfast was most indiscreet. He and Lord Winchester together are fireworks in the midst of gunpowder. Our dangers from without are threatening enough ; we might be spared this internal discord, in which folly unfortunately is hardly less dangerous than bad intentions.

In view of such unrest, the Government in October arrived at two grave decisions—to suppress, by use of troops if need be, a display of physical force advertised

to take place in Dublin and Clontarf; and to prosecute the chief organisers of such meetings. This course was not adopted without much deliberation and ample professional advice.

*To Lord Stanley*

*Private.*

*Wednesday, October 4, 1843.*

We have had incessant meetings for the last two days, attended by all the law authorities—two Chancellors, the Master of the Rolls in Ireland, Pollock, and Follett.

We determined that De Grey and Sugden should go to Dublin to-morrow with full authority to apprehend O'Connell and leading members of the League, on a charge of treasonable conspiracy. You will have read the advertisement for a demonstration of 'Repeal Cavalry' to muster in Dublin Sunday next at noon, previous to the meeting to be assembled at Clontarf. This was placarded throughout Dublin.

When you read this note of preparation for military array, you will agree with us that a meeting thus assembled during Church time on Sunday in the metropolis of Ireland is clearly illegal. We have resolved so to consider and treat it. De Grey will proclaim it on Saturday, prohibit the assembly, and disperse it by force if necessary.

I move a regiment from Weedon to Liverpool by railroad on Friday. Steamers will be in readiness to move a thousand men from Liverpool to Dublin on Saturday morning, if De Grey and Blakeney require any increase of the garrison at Dublin.

Her Majesty is quite willing that these decisive measures should be taken. Peel also is resolute, and the Duke enchanted that some decisive course should be adopted in resistance to the further progress of these rebellious proceedings.

*October 7.*—Fitzroy Somerset tells me that they received yesterday an order from you to send a regiment to the Cape.

You know the state of affairs in South Wales, in Ireland, and in Scotland, where we are forced to induct ministers into churches under military escort, where the civil power

has been resisted and overpowered, and the gaols have been broken open to assist the rioters.

Sir E. Blakeney asks me for another regiment of cavalry in Ireland. In all Scotland we have but one; in Wales we have only part of one; and I know not the station in England from which a troop of cavalry can be removed with safety.

Even our Pensioner Force is as yet only in embryo, and at no moment could we weaken the army at home with greater inconvenience and risk.

Let me entreat you to reconsider this order of sending a regiment from Ireland to the Cape. At all events suspend the execution of it until we see the result of apprehending O'Connell. He is endeavouring to back out.

*October 10.*—We have broken ground. Our law officers are satisfied with the evidence they can command, and the arrest will take place. I am pouring troops into Ireland from every quarter. I am sending ships of war to Cork and to the Shannon. This is the certain mode of over-awing resistance and preventing bloodshed.

*October 12.*—Our news from Dublin continues good. O'Connell is alarmed, and his followers begin to see that he is not invincible.

*October 14.*—The real tussle will be before the jury.

#### *To Lord Eliot*

*October 14.*—If we obtain a conviction, our triumph will be signal. We ought to follow it up with some healing measures.

I never had so much work, since I have been in office, as within the last fortnight. Our affairs look better in every quarter.

*October 20.*—I quite agree with you that this is the moment for tempering firmness with reasonable concession; and I am willing and anxious to consider any measures of this character which you may suggest; not excluding the reconstruction of Maynooth with an enlarged grant, and a scheme for the payment in some shape or other of the Roman Catholic clergy.

Be very careful not to commit yourself in conversation

with any one on this subject, but deliberate upon it, and let me have the benefit of your mature reflections.

In October Graham was preparing to deal with the Irish Land question, which he considered urgent.

*To Lord Stanley*

*Private.*

WHITEHALL, October 7, 1843.

Peel and I have had two interviews with Lord Devon, who consents to preside over the Inquiry into the relations now subsisting between landlord and tenant in Ireland.

I enclose for your consideration and criticism the draft of the leading terms of the Commission. It has not been easy to frame it. It was necessary that it should be wide enough to embrace a large field of inquiry, and yet not so specific as to excite alarm, or false hopes, by its details.

Freely comment, and *candidus imperti*. Lord Devon is much pleased by the task we have imposed on him, and promises to perform the duty well.

Sir James had also to console the Lord Lieutenant under sharp criticisms of Wellington.

*To Lord De Grey*

October 24.—Your comments on the Duke's strictures are just. But great allowance must be made for age and its infirmities. I do all in my power to keep matters smooth, and to satisfy his impatience, which proceeds from a sense of public danger, and from the absence in these days of the power to meet it in the summary way and with the iron hand which he thinks necessary.

I receive much sharper reproofs frequently, and in the main he judges so well, and his motives are so pure, that I submit with cheerfulness to passing bursts of temper.

In return Graham himself, when overwrought, received from the Prime Minister kind solace.

*To Sir Robert Peel*

*October 28.*—I sometimes almost despair, for I labour hard and incessantly, but in vain. I send the best short-hand writer whom Messrs. Gurney could supply, and he is either misled by Irish lawyers, or catches the infection of Irish inaccuracy, and a good case breaks down because I have sent a bad witness. The accumulated difficulties are almost overpowering, and I begin to be disheartened.

Sir Robert Peel replied :

Nothing can deprive me of the satisfaction of feeling that everything that prudence and vigilance could suggest in reference to the state of Ireland has been done by you. It is utterly impossible for human foresight to take precautions against that which has occurred in the case of Hughes.

About this time negotiations were begun with Rome.

*To Sir Robert Peel*

*October 30.*—I was out of spirits when I wrote to you. You will be sorry to hear that the pain in my face has returned rather severely.

Pray observe what De Grey says about seeking assistance from the Pope in the hope of controlling the R.C. hierarchy in Ireland. All authorities begin to converge towards admitting the necessity of obtaining some influence, direct or indirect, over that priesthood which holds in subjection seven-eighths of the Irish people.

*From Sir Robert Peel*

*November 1.*—It would be well to show De Grey's letter to Lord Aberdeen.

*November 27.*—In the course of reading a hundred Foreign Office despatches, my attention was arrested by this : 'Complaints of the Pope that the Malta press is seditious and troublesome.' Well might Sir R. Gordon rejoin, 'What does the Pope think of the priests and their proceedings in Ireland ?'

I wish you would see Aberdeen, order a nosegay of the acts and speeches and writings of priests to be prepared, and let us have them presented to the Pope. If we cannot regale his Holiness with the bouquet, let Metternich have it.

I would not advise any compact that we should suppress seditious publications in Malta in return for the attempt to suppress priestly rebellion in Ireland. But we may ask the Pope, and ask Metternich, whether they think that such conspiracies as those which we have every reason to believe have been formed and are directed in Ireland by Roman Catholic priests are not disgraceful to religion, and dangerous to other thrones as well as to that of England.

*To Sir Robert Peel*

*November 29.*—I have requested De Grey to prepare for use either at Vienna or Rome a pot-pourri compound of the speeches of McHale and Higgins, of the ‘*Priest’s Letter on the duties of a Soldier,*’ and of various addresses from the altar exciting rebellion, treason, and bloodshed.

1844

The trial in Dublin of O’Connell and nine others for conspiracy and misdemeanour did not begin till January, 1844, and lasted twenty-five days.

Sir James Graham had in vain laboured to impress on the Irish Government the importance of extreme care in the legal procedure.

In choosing a special jury, sixty names of qualified householders, probably by gross negligence, but not without suspicions of fraud, were left out of the official list. Also of those drawn by ballot all the Roman Catholics were challenged by the Crown, and made to stand aside, not on account of their religion, but as being personally pledged to O’Connell’s campaign for Repeal.

Sir James writes to the Lord Lieutenant :

*January 8.*—I anxiously hope that the blundering omissions in the Special Jury book may not vitiate the jury which has been struck. How strange it is that nothing can be done in Ireland without a blunder, when Irishmen alone are employed !

*January 9.*—It is hardly credible that such a mistake at such a moment could have been accidental. We earnestly request that you will ascertain who is the party responsible. It is hard that the public interests should be endangered by such gross negligence. A suspicion will always remain that the fidelity of the parties employed has been tampered with.

*January 25.*—I have received your letter. . . . I cannot consider the explanations satisfactory. The negligence appears to me gross and palpable. If an inquiry be desired in the House of Commons, I see no reason why we should resist it. On the contrary, such neglect of duty ought not to be passed over.

Nor was it passed over. Graham took care that the officers responsible were punished.

As regards the challenge of jurors by the Crown, Lord Eliot writes :

The Special Jury panel has been struck, and on it are the names of thirty-eight Protestants, all Conservatives, and ten Roman Catholics, all Repealers.

It is unfortunate that the name of no R.C. Anti-Repealer was drawn ; but it is impossible to have on the jury any member of a body the acts of which will form the main subject of inquiry. I fear that we must strike off the names of all the Roman Catholics, and leave the jury exclusively Protestant. I am exceedingly sorry that we shall be under the necessity of doing this.

Upon this Sir James wrote to the Lord Lieutenant, insisting on immediate and correct information as to the ground of the challenge in each case.



A frank statement of the exact reasons and the precise truth is all that we require. But any deception practised on the Government in this respect would be unpardonable, and if we are deceived, and state as facts what turn out to have been unfounded allegations, we shall be brought to open shame.

Towards the close of the trial Sir James Graham thus sums up results :

*To Lord Stanley*

*February 4.*—The counsel for the traversers have admitted the facts, and have not combated the law. The Repeal of the Union has been sought by a combination which has used the display of physical force, seditious speeches, treasonable ballads, debauching appeals to the soldiery, the exercise of judicial, legislative, executive functions, the crowning at Tara, the levy of tribute, the appointment of courts of arbitration, an active correspondence with foreign nations.

If these things can be done with impunity, and can be defended with success in a court of law, I own that the days of civil Government are numbered, and that the end of British dominion is at hand, unless the sword may be able to save what the law has ceased to protect.

At this time in a letter to Lord De Grey Sir James Graham formulated clearly the principles of his conciliatory policy.

*March 1.*—We must maintain the Union<sup>\*</sup> and the Protestant Church in Ireland at all hazards. But, while we are inexorable on these two points, we ought to stretch out the hand of fellowship on every other, even hoping against hope, and endeavouring by patronage and every other persuasive means to soften animosities, and to amalgamate the two nations.

The task is difficult, the success is doubtful, and much of ingratitude and repulsive opposition is inevitable. But despair in this case is the surrender of the national power ; for if Ireland be not reconciled to Great Britain,

she will destroy us, opening a breach in our defences through which our foreign enemies will ultimately triumph. At this moment Guizot's administration is tottering, and if it fall our relations with France may be suddenly broken ; and then the fatal discovery will be made how dangerous is the condition of Ireland, with millions of its inhabitants rebels at heart, and panting for our overthrow.

We have gained a temporary victory. We ought to seize the opportunity, and to improve it. Every concession which principle does not prohibit ought to be freely made, while it can be made with dignity because not under compulsion. And, even if this policy be abortive, the attempt is honourable, for justice commands it, and the object is the integrity of the United Empire.

In February O'Connell had been found guilty on all eleven counts of the prolix indictment for conspiracy. From the Supreme Court in Ireland he appealed, by writ of error, to the House of Lords. The Lords consulted first the English judges, requesting their opinions on the eleven counts. On most of these the Irish judges, themselves unanimous, were supported unanimously by the English judges. On the general question English judicial opinion was divided. Seven judges, including Chief Justice Tindal, held that though some counts were bad, the verdict held good. Two, Baron Parke and Justice Coltman, were of the contrary opinion.

But the final decision on the appeal lay with the Law Lords, at that time only five in number, and these were almost equally divided. Two agreed with all the Irish and the seven English judges. Three took the view suggested by Parke and Coltman, and reversed the Irish judgment by a casting vote.

Sir James Graham's opinions on this decision and its probable effects in Ireland appear in several letters.

*To the Lord Chancellor (Lyndhurst)*

*September 2.*—It will indeed be a serious disaster if Lord Denman reverse the judgment on grounds on which he differs in opinion from the whole Court in Ireland, from the unanimous opinion of the English judges, and from all the four Law Lords, who on another point entertain opposite opinions. He will really assume to himself the power of liberating O'Connell on a point of law, in which his opinion is not only not sustained, but is unanimously repudiated by the common consent of all his brethren.

The *ardor civium prava jubeantiam* never produced greater mischief than this.

*To Sir Robert Peel*

*September 2.*—The whole Irish policy which I had contemplated, and to the completion of which I had ventured to look forward with hope, is likely to be subverted and turned into confusion by the judgment in the Lords, which we have now so much reason to apprehend.

*To Lord Heytesbury*

*September 2.*—Remember that only five Law Lords hold in their hands the power of ultimate decision, without appeal. Lords Cottenham and Campbell are eager politicians, Lord Denman, one of the five, loves popularity to a dangerous excess, and in strict confidence it is my duty to tell you that I look to the final judgment with more of apprehension than of hope.

It is melancholy to think that after all the case will probably be decided by political considerations, quite apart from the merits; and this too by lawyers.

*September 3.*—Everything depends upon the course to be taken by Denman, and I confess that my fears still predominate.

Lord Denman, as Chief Justice, maintained that the issue was substantial.

This [he said] is no technical objection. To pass

sentence for three offences when a party is convicted of only two cannot be right.<sup>1</sup>

That was from the clumsy indictment. He made bold also to condemn, in words still often quoted, the use made by the Crown of its right to set aside as jurors unfit persons.

If it is possible that such a practice should be allowed to pass without a remedy, trial by jury will be a mockery, a delusion, and a snare.

But would trial by jury have been less a mockery, in Ireland, had pledged Repealers been left unchallenged to try their leader for organising illegal means to extort Repeal ?

Sir James Graham bore the result with equanimity.

#### *To Lord Heytesbury*

*September 4.*—The decision will not, I fear, redound to the honour of the Supreme Judicial Tribunal, where law has been made to bend to political considerations. Yet the character of the House of Lords would have been ruined by the interposition of a majority avowedly political in a criminal case, and the maintenance of the Union between Great Britain and Ireland would have been shaken to its foundations if, in opposition to the casting vote of the Lord Chief Justice of England, Mr. O'Connell had been kept a prisoner by the voices of English peers, his political adversaries.

Moreover the Crown could not have permitted the sentence, in such circumstances, to be carried into full execution ; and while the Sovereign and the House of Peers would thus have been placed in hostile array, the prerogative of mercy itself would have been tarnished by its use on such an occasion.

What has happened is unfortunate, but the Government has done its duty.

It is our wish and earnest desire that Mr. O'Connell should be liberated without delay.

<sup>1</sup> *Life of Denman*, ii. 180. Quoted by Sir Spencer Walpole.

But to his friend Baron Alderson he writes :

Thus a most dangerous political conspiracy in the last resort is exempted from punishment on grounds purely technical, and the Supreme Court of Criminal Judicature in Ireland has sustained a shock which weakens its foundations, at the moment when the civil institutions of that country required every support which supreme authority could bestow.

This is a real national disaster, and—I say it without offence—it is the act of lawyers.

During this critical time the choice of means for preserving peace in Ireland was important, and the Home Secretary found himself compelled, on political grounds, to resist the Commander-in-Chief.

*To Sir Robert Peel*

October 3.—I have received a letter from the Duke of Wellington, and I send you the copy of my answer.

It is clear that Lord Roden and Lord Glengall and *id genus omne* have been fretting him, and this return to the call for Yeomanry is the result of their buzzing irritation.

I thought it more prudent not to speak of Cabinets or consultations, but to lay before the Duke frankly my own objections, which are insuperable, against this measure.

As the last resort in a dangerous extremity it may be necessary, but as a measure of precautionary policy it appears to me rash, cruel, and utterly indefensible. I hope we shall hear no more of it. You need know nothing of this correspondence as it stands at present, but I am anxious thus early to lay it before you.

[Enclosure]

*To the Duke of Wellington*

NETHERBY, October 2, 1844.

Your Grace desires that the military force in Ireland should be increased. But there is no danger of an immediate outbreak,

The regular force in Ireland at this moment is considerable; but if there be a deficiency, your Grace rather points to supplying it by the creation of a new local force.

The police, which is a body of military organisation, amounts to nine thousand men, and we have lately added five thousand Pensioners, on a well-matured plan which would enable us at any moment to embody them in the field, under martial law, with officers qualified to take the command.

The formation and arming of regiments of yeomanry in Ireland present for consideration difficulties of the most serious kind.

Unless the loyalty of these corps can be safely trusted, their existence with arms in their hands will aggravate the present danger. But the great body of the Roman Catholics, swayed by the influence of their priests, is indisposed to uphold British connection, and must be regarded as of doubtful fidelity to the British Crown. A loyal local force in Ireland composed of farmers and yeomen must therefore be in present circumstances exclusively Protestant.

The danger of Ireland is civil war, which cannot fail from its commencement to assume a religious character.

With this danger impending, is it wise on the part of the State to arm a small minority of the people, thus putting aside and distrusting in the most marked and offensive manner the overwhelming majority of the nation?

Would not the Roman Catholics regard this measure as a declaration of war against them and their religion? Would it not be the abandonment of every hope which has led to the adoption of a kinder policy towards them, in the expectation that the full enjoyment of equal rights and privileges might win to the State the affections of a portion of this body, or at least mitigate their enmity, and divide their force?

Would not Parliament more readily consent to an increase of the Army, if it be really necessary, than to the formation of Protestant yeomanry corps in Ireland? And when the hour of trial arrives, are not regular troops more to be depended on and infinitely safer than this irregular local force?

These are some of the difficulties which the thought

of resorting to the use of a yeomanry force in Ireland, as a preventive measure, suggests to my mind.

If a Roman Catholic insurrection unhappily take place, or if, in the event of a foreign war, an enemy were landed on Irish ground, and should receive aid from Roman Catholic disaffection, then, in the last emergency, an appeal might be made to Protestant loyalty and courage; and arms and accoutrements and every military arrangement and preparation may wisely be provided to render this appeal promptly effectual, when the necessity for it shall be flagrant—if indeed that fatal time must be anticipated. But it is a grave question, requiring the most cautious and full deliberation, whether at the present moment it would be wise to call out and to arm the Protestant yeomanry.

I have communicated with no one for a long time on this subject, and my respect for your Grace's judgment is profound and sincere. But it is right that, on a point of this immense importance and of such great practical difficulty, I should state at once and without reserve the objections which present themselves to my view, and I submit them for your consideration with deference and anxiety.

*From Sir Robert Peel.*

In the sentiments expressed in your answer I altogether concur.

*From the Duke of Wellington*

*October 5, 1844.*

I beg leave to remind you that I did not mention a Protestant Yeomanry, or advert to any existing religious sect. What I mentioned was the necessity of forming in Ireland a Local Force.

I am aware that Government must proceed with caution, and that those who should be selected to form and command corps must equally be cautious in the selection of the persons whom they should admit into them. But by care and attention I conceive that such a local force could be founded in Ireland, upon whose exertions in general reliance might be placed. At all events, the

formation of such a force would give the Government the assistance of the whole Protestant population.

Your General in Ireland told you last year that he had ten thousand men less than he thought he ought to have.

He had then the Police Force, upon whose exertions it must be admitted that reliance cannot be placed, if it be true that a Roman Catholic local force cannot be trusted ; for the same reason, that the men are in general Roman Catholics, and that their subaltern officers and non-commissioned officers are of the worst description of that class—men recommended to the late Government by demagogues, members of Liberal Clubs, and members of Parliament in favour of Repeal, recommended to their constituents by O'Connell.

It is true that we had not then the Pensioners. The arrangement in relation to the Pensioners is a very good one, possibly the best that could be made for the employment of the services of these men. But I should deceive you if I were to say that they could be considered as an efficient force.

I was looking forward not to such a state of things as existed in the year 1843, but to such a state as was apprehended in July and August, 1844—the sudden commencement of hostilities with France, the chance of having at the same time to resist a foreign invasion and domestic turbulence with disturbance of the public peace.

We heard of fifties, sixties, hundreds of thousands of men marching about organised, each in his separate parish, under the direction of the priest, assisted by the members of the Liberal Clubs, and a large proportion having either concealed each in his possession, or the means of obtaining, firearms.

Now mind ! I don't fear foreign invasion. But I want to see a Local Force organised and in the hands of the Government, of strength to put down the insurrection, while the troops should be employed to resist the foreign invader. I have some experience in war, and know what military operations are.

I see the reports of officers in Ireland, and know their opinions of what they have heard declared from the pulpits, and the expectation expressed, and the reliance



upon the success of the insurrection in case of foreign war, and above all, in case of invasion.

I am aware of the danger in such a case, and suggest to you the measure of safety upon which it is my opinion that you can rely.

*To the Duke of Wellington*

October 9, 1844.

I may be permitted to offer one or two explanations. I was aware that your Grace, in advising the formation of Local Corps in Ireland, did not intend that they should be exclusively Protestant. But I ventured to suggest this practical difficulty inherent in the social condition of Ireland.

These armed bodies, to be useful or even safe, must be loyal, and ready to defend against all assailants the connection of Ireland with Great Britain. This force must be drawn from the occupiers of the soil. Except in the North, the vast majority of these occupiers are Roman Catholics. But the Roman Catholics as a body, under the guidance of their priests, are disaffected, and pledged to the Repeal of the Legislative Union, which it is our object to defend.

In these circumstances, if you admit Roman Catholics into the yeomanry regiments, they become from the first commencement a force of doubtful fidelity.

In the Army military discipline, martial law, and *esprit de corps* are too strong for the counteracting influence of the priests, and it is hoped that in an extreme emergency the fidelity of the Irish Roman Catholic soldiers, even in Ireland, might be trusted. But the Police Force—notwithstanding its military organisation and military discipline—and the Pensioners—also under martial law—are not held to be entirely trustworthy, on account of the large proportion of Roman Catholics, and the influence which daily intercourse with a disaffected population cannot fail to exercise, in a religious struggle, on members of the same communion.

This danger, which is admitted, would be much greater in regiments of yeomanry, rarely embodied, and drawn fresh from the occupations of the people; with all their

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passions and sympathies uncontrolled by strong discipline and military habits.

These considerations inevitably lead, in the formation of a yeomanry force in Ireland, to the arming of an exclusively Protestant body.

If Lord Bandon, the Lord Lieutenant of the county of Cork, were directed to select men for yeomanry service, on whom reliance in all circumstances might be placed, I fear that in that county of four hundred thousand male inhabitants he would not choose twenty Roman Catholics. Such at this moment is the disordered condition of society in Ireland.

It is true, as your Grace observes, that the formation of a local force would give to the Government the assistance of the whole Protestant population. But if mixed with Roman Catholics its safety and efficiency are doubtful; if unmixed, we then arrive at the formation of a local army composed exclusively of Protestants.

If war were imminent, if an early invasion of Ireland were apprehended, or if a civil war in that country were close at hand, and it were impossible by other means to avert this last danger, then I readily admit that the whole force of the Protestants must be brought to bear at all hazards in defence of British interests, and that firm reliance may be placed on their tried loyalty and courage. But this appeal cannot be made to them exclusively, without renouncing the hope of governing Ireland by pacific means, with the aid and the concurrence of a sound portion of the Roman Catholics.

Meanwhile some of the Protestant leaders were in a state of dangerous excitement. The Duke of Wellington complained to Graham that Lord Eliot had refused to sanction Orangemen's arming their servants and training them to defend their employers' homes.

He had himself advised the Government to suggest to the gentry to strengthen their houses by blocking up the lower windows, etc., and that they should retain no one in the house on whom they could not rely, and should arm

those on whom they could. This had been a common practice when he served in Ireland before the rebellion of 1798, and in consequence, when the rebellion commenced, but few suffered. Not only had he advised this, but he had given assurances to the House of Lords.

*From the Duke of Wellington*

I stated in my place in Parliament that I was at the head of one of the principal executive departments of the Government ; and I was satisfied that measures had been adopted to protect the properties and the lives of all. I conceived that I had stated what was strictly true.

But it appears not only that H.M. Government has not encouraged individuals to provide for the defence of their houses and property, but that it is deemed illegal to arm their servants and adherents.

I see the use of the term ' train ' in Lord Eliot's letter. But surely it cannot be intended that men like Lord Roden, finding it necessary to arm their servants, should leave them in ignorance of the manner of using the weapons which the state of the country has rendered it necessary for him to put in their hands.

If this is the law, it is time that we should clearly understand it, and make provision for raising such a force in the service of the Crown as will enable the Government to fulfil the engagement which I certainly considered myself authorised to make in the House of Lords.

If I have made a mistake, I must say so ; if not, Lord Eliot should withdraw his letter addressed to the Earl of Roden.

P.S.—It has occurred to me to remind you that, when my house was attacked, even in London, by broad daylight as well as by night, I defended it by arming my servants, and showed them the use they should make of their arms—or, in other words, ' trained ' them—some to the use of muskets, others of boar-spears, which I happened to have, or other arms. I besides strengthened my house and windows, in order to prevent the destruction by stones of my property in pictures within.

No member of the Government of that day expressed

any disapprobation of what I had done ; and I conclude that what was not deemed illegal in London in 1830-31 cannot be illegal in the state in which Ireland is in the year 1843.

Graham replied, quietly but firmly supporting the Chief Secretary's refusal to sanction training to arms.

Providing firearms [he wrote] to be used by servants in defence of the dwelling-house if attacked, blocking up of windows, preparation of means of defence, are measures of precaution which each individual may lawfully take on his own responsibility without the sanction of the Government.

But training to the use of arms has been placed by statute on a distinct ground. It is not left to the discretion of an individual ; the previous and formal assent of lawful authority is required by Act of Parliament.

After Lord Roden's notification of his intention to train his servants, acquiescence on the part of Lord Eliot would have been the direct sanction of the proceeding. If he had assented, applications from various quarters for the same sanction would undoubtedly have been made, and could not have been refused. Arming without discipline would have become general ; the rebellious would have feigned alarm, and would have found in this training a pretext for new combinations of a dangerous character among themselves ; the isolated Protestant would have been exposed to still greater peril.

On the whole, I thought, and am still disposed to think, that the best security for the public peace was taken by discouraging this training to the use of arms under the discretion and at the will of individuals.

I am frankly stating to your Grace the first impression under which I wrote to Lord Eliot, and approved of his answer to Lord Roden.

The permission sought was ' to train to the use of the musket ' ; not to arm or prepare his house for defence. The distinction appeared to me broad and important.

The Duke rejoined :

Lord Eliot was fully justified in declining to signify the

approbation of the Government to the proposed system of training, but I confess I regret that he did not approve of Lord Roden's intention of arming his servants.

I could not think any isolated gentleman safe, during the existence of these musters to form the monster meetings. But knowing that the leaders of mobs do not relish hard blows or bullets more than other men, I suggested the adoption of a defensive system.

I regret that Lord Eliot, knowing this, did not at least reserve or qualify his decision on training in reference to that part of the subject.

However, the matter is settled ; and I must as I can get out of the difficulty of having stated in the House of Lords that I thought the Government had taken measures which would save the lives as well as the property of individuals.

Of late Sir James had been separated from the friend with whom as Home Secretary he had taken most intimate counsel in providing a force to supplement the regular troops. Sir Henry Hardinge had gone out to succeed his brother-in-law Lord Ellenborough as Viceroy of India.

In January, in respect of his scheme for organising Pensioners, Sir Henry had said :

Your note to me, and the terms used in your note to Peel, are more than I deserve. Without your cordial support the plan never would have been carried into effect. The praise of the two best judges of official business in the country is worth having, and I am very much gratified by the sanction of such authorities.

And in June, just before leaving England, Sir Henry, enclosing an important memorandum on the subject, had added :

*June 3, 1844.*—Let me congratulate you personally as the Home Secretary of State on the great achievement

of the Government in breaking the spell of O'Connell's invincibility. You have brought him by the ordinary means of the law to the level of other men ; and, as this great moral lesson will not be lost upon his countrymen, it will practically operate as the first firm step to a better state of things in Ireland. As we owe this result to your energy, care, and sturdy courage, I congratulate you on the result.

Sir James had replied :

I have received with melancholy satisfaction your clear and able letter detailing the arrangements completed with respect to the Pensioners, and your views which contemplate an extension of the system, and its adaptation to various circumstances, including war.

I cannot hope that any public servant will be found capable of giving full effect to these wise and prudent precautions ; but I can never cease to regard the measure with partial solicitude, as a memorial of your official services, and of the happy terms on which we have laboured together for the public good. While I remain in office I shall preserve your parting memorandum carefully for my own guidance, and when I retire I should leave it to my successor, in the hope that it may not be neglected, because I know that it contains the means of future safety, in the event either of foreign war or of civil tumult. Your expressions respecting Irish affairs are very kind.

I remain ever your affectionate friend.

Now, in October, O'Connell was abandoning intimidation, and appealing rather to reason and argument in favour of Repeal, or of the newly invented scheme of Federalism (Home Rule), which he boldly said he even preferred to Repeal.

Observing this, Sir Robert Peel began to insist on the importance of meeting argument by argument.<sup>1</sup>

<sup>1</sup> See *Peel Papers*, iii. 122.

The absurdity of Federalism [he wrote] might be exposed, demonstrating the necessity which it would ultimately engender for the retrocess to barbarism, retracing the steps by which independent legislation for parts of a great Empire has been abolished, and one supreme authority substituted for conflicting authorities with separate interests and local prejudices. If Ireland must have Federalism, so must Scotland. Why not Wales? Why not Wessex, and the kingdoms of the Heptarchy?

In this sense leading articles were furnished by Mr. Butt, Q.C., afterwards a convert to Home Rule.

This policy of Peel was shared by Graham, and by Wellington, who, in answer to a letter from Graham, reporting tendencies of some Protestants to support Federalism, wrote back :

WINDSOR CASTLE, *October 11, 1844.*

When the Union was carried, many of the resident gentry were dissatisfied, for years. I recollect that, when I was appointed Chief Secretary, Mr. Foster, who had been Speaker of the Irish House of Commons, and his family and friends, were greatly dissatisfied, and this was the cause of great uneasiness to the Cabinet of the Duke of Portland.

Foster was appointed Chancellor of the Exchequer, and others promoted to other high office, and we heard no more of the dissatisfaction of the Protestants with the Union.

At about the same time the Roman Catholics recommenced to urge their demands ; and all who possessed property in Ireland began to be sensible of the danger to themselves of separation from Great Britain. The same danger still exists ; it is not in the least diminished.

The whole question in Ireland is the possession of the land.

The Roman Catholic Relief Act, the Tithe measures, Education measures, and others, have tended to make a great alteration in the relative position of the Protestant

Body in Ireland ; and it is not easy to make them feel the advantage to them of a continued legislative connection with Great Britain. From the year 1830 to the year 1841 they have felt themselves to be not only not the favoured class of society, but in fact the persecuted class.

Then, the improved Grand Jury Laws, and the Poor Laws, have necessarily thrown upon them, as being nearly exclusively the land proprietors, very heavy burdens ; while it has been impossible by patronage of the Government to give them compensation for their losses.

I am not astonished therefore, however much concerned, to learn that there exists a general dissatisfaction with the Union, and that men's minds should be turned towards the contemplation of measures for giving to Ireland separate means of legislation.

We cannot do now as in 1806—make a Mr. Foster Chancellor of the Exchequer, promote his adherents and relations, make Mr. Saurin Attorney-General, etc.

You must call in aid of another description, Croker and the scribbling set. Let them dissect and discuss the speeches, and the plans proposed.

Let them show how the separate Legislature for Ireland worked from the Revolution downwards to 1782, notwithstanding the check upon it of Poyning's Law.

Let them show its operation after the repeal of Poyning's Law, how near it came to a separation with Great Britain within little more than two years after that repeal, and what was called the establishment of the Constitution ; then its operation upon the occasion of the appointment of a Regency to carry on the Government in the name of George III., when the Act of the Irish Parliament would have occasioned the separation of the two Kingdoms, if the King had not recovered his health.

Then let them show the spirit in which the separate Legislature of Ireland must legislate in relation to property, the exclusive religious opinions of those who must be its members, the undoubted and immediate confiscation of all the landed property of the Church, the seizure of the tithes and their application to fiscal purposes, while



the R.C. clergy should be provided for by pensions from the State; the seizure of the property, first, of all absentees, next, of all opposed to the new order of things, and even of those who have till now been opposed to repeal of the Union.

Let them show what has been the nature and spirit of the Government in Ireland whenever it has been in the hands of Roman Catholics, or they have exercised any paramount influence over it,—in the year 1600; at the period of the Revolution, and afterwards till King James retired; the period from the year 1831 to the year 1841—and they will become sensible that their only chance is to adhere firmly to the Legislative Union with Great Britain.

I ought to apologise for having written you so long a letter upon a subject upon which you must be better able to suggest a course than I can be.

P.S.—I understand that the language of the Duke of Leinster has been that it is most fortunate for the Government that O'Connell has been released; that if he had been left in confinement there would have been an insurrection in his favour; that he is now given up for ever.

I hear also that the Whigs do not like the judgment of the Law Lords. Lord Spencer in particular says that it will be considered as 'a party judgment.'

Towards the close of the year, Sir James continues to write in the spirit of active conciliation.

*To Lord Heytesbury*

WHITEHALL, November 30, 1844.

*Private and Confidential.*

In the first place it is important that the Board of Bequests should be nominated by the Queen in Council.

When this has been accomplished, a Roman Catholic body will have been formed under the direct authority of the Crown, and by Act of Parliament, which will comprise two Archbishops, a Bishop, and two laymen possessing the confidence of the Church—a body with which the Executive Government may communicate on

all questions affecting the Roman Catholic religion in Ireland.

Next, it will be advisable to begin, when you do break ground, with the *general* question of New Colleges and University Education, on which I have fully opened to you the views of the Cabinet.

Meanwhile it is expedient *confidentially* to make known our plans to the Primate, telling him that he is the first person to whom our intentions have been disclosed, and winning from him, if possible, concurrence, or at least, assent.

When the Board shall have been gazetted, and after communication with the Primate, you will be in a position to discuss both with the Presbyterians and with the Roman Catholics the Collegiate and University question.

You will not advance far in the discussion before Maynooth will be brought before you. When the subject is thus forced on your notice, you should declare the wish of the Government to include this matter also in a comprehensive and amicable settlement, if a fair arrangement can be made by which the scruples and false impressions of the Protestants can in some degree be removed.

You may safely disclaim any wish to obtain for the State any power of interference with the religious doctrine or discipline of the College.

Thus, while discussing provincial Colleges, necessarily you will so far discuss also the question of Maynooth as to ascertain what can and what cannot be done, before you enter formally on the topic, and while the Cabinet still remains undecided with respect to it.

*December 5.*—I still confidently hope that you will enable me to lay before the Queen in Council the names of five Roman Catholics, three of them Prelates, willing to serve on the Board of Bequests.

Those who have withstood Dr. McHale, and have overcome him, will hardly bend their authority on an ecclesiastical question to the will of Mr. O'Connell, in violation of the warning of the Holy See, which has prescribed abstinence from agitation, and submission in all things lawful to the authority of the State.

There is an Act of Parliament seeking to repose a trust

for charitable uses in the Heads of the Roman Catholic Church. The Queen's Representative in Ireland seeks the co-operation of the most distinguished Prelates, by the order of his Sovereign. These Prelates deliberate, and notify to Her Majesty their willingness to serve. No new circumstance intervenes, except a parish meeting in Dublin, where Mr. O'Connell makes a violent speech; and it is expected that these Prelates will be turned from their purpose, and will expose themselves to ridicule and shame by yielding to the terrors of political agitation!

I have formed no such estimate of the characters of Archbishop Crolly and Archbishop Murray. They have not decided hastily; they will not act irresolutely, and disappoint the confidence reposed in them by Her Majesty's advisers.

*December 9.*—If indeed the opportunity of an amicable accommodation with the Roman Catholic Church in Ireland has not already passed away, I am convinced with you that the present opportunity is the last; and if it be not seized, the breach will become wider.

I am delighted to observe that you are deeply impressed with this truth, with which my own mind is penetrated. I earnestly desire to co-operate with you in framing a settlement so just and so reasonable that the best portion of the Roman Catholic hierarchy and laity may find it impossible to refuse it.

*To Sir Robert Peel*

WHITEHALL, *December 10, 1844.*

This Maynooth arrangement is the most difficult but the most important part of the whole settlement. It is the key which will open to the Queen's Government influence over the Roman Catholic priesthood, if it still be possible to obtain it.

The Cabinet must come to some decision. The facts and the arguments are before them. I hope that we shall determine on what footing Maynooth is to be placed, with a view to the just expectations of the Roman Catholics, and to the establishment of an influence on the part of the State over the youth hereafter to be educated at the public expense for the parochial priesthood of Ireland.

*To Lord Stanley*

*December 22.*—You will have seen our success in nominating the Bequests Commission. The furious opposition raised by O'Connell and McHale against it render the success a signal triumph. We continue to receive from Rome satisfactory assurances of a disposition to inculcate peace in Ireland.

*To Lord Heytesbury*

*December 23.*—It is quite clear that the conjoint operation of our Bequests Act and of our proceedings at Rome has baffled and surprised O'Connell. This effect ought to encourage us to proceed ; it amounts to demonstration that we have made the right move, and that he is checked. We must follow up with vigour.

*To Sir Robert Peel*

*December 23.*—I think it would be prudent to instruct Mr. Petre sedulously to cultivate a good understanding with the Holy See, and as far as possible to make intelligible there the struggle which has commenced in Ireland. The Papal authority to a considerable extent is at stake in this conflict. The heads of the Roman Catholic Church in that country, acting under a rescript from the Pope inculcating peace and obedience to the constituted authorities of the realm, have determined to co-operate with the Legislature in giving effect to a measure [the Bequests Act], framed specially for the purpose of facilitating and securing the permanent endowment of the hierarchy and the parochial priesthood. A powerful party, represented by Archbishop McHale and O'Connell, rejects the advice of the Holy Father, repudiates all co-operation with the State, even for the promotion of Roman Catholic objects, and in a rebellious spirit of democratic insubordination bids defiance both to the control of the See of Rome and to the conciliatory advances of the British Legislature.

It is important that they should know at Rome the language in which Concordats are spoken of in Dublin. A specimen is to be found in Mr. O'Connell's speech ; and

this is exactly the state of affairs in which an authoritative declaration from Rome in favour of the Archbishops would tell with great effect.

On the question of Franchise also Sir James Graham was prepared to go far. He writes to Lord Eliot :

*December 24.*—Before the Cabinet meets, I wish you would prepare an amended copy of our Registration Bill, with any such changes as would render it more palatable to the popular party, without disgusting our supporters and conferring the power of the franchise on an irresponsible rabble, devoid even of the shadow of independence.

It will be expedient to pursue the same course with the Municipal Election Bill, if indeed any change can give it a more popular character than it now has ; for it is a measure of unqualified concession, yielding all that was heretofore demanded, and placing the municipal franchise in Ireland on the identical footing of the same franchise in England.

Faction itself, one would have thought, must have been baffled in finding a flaw in this Bill. But if you can discover any objection, let us know it, and we will endeavour to remove it.

## CHAPTER XIX

### POST OFFICE INQUIRY

1844-45

Question as to Letters opened—Government objects to Public Inquiry—Motion in the Lords—Campbell—Brougham—Denman—Normanby—Debate in the Commons—Graham's Reply—Macaulay and Howick—Peel and Stanley—Motion rejected—Renewed Attack—Secret Committees of both Houses—Their Reports—Motions by Duncombe defeated—Justice done to Graham by Political Opponents—Mazzini—Graham's Letters—Law Officers consulted—Law left unchanged.

**I**T was in June, 1844, while Graham was busy with his Irish policy, that, suddenly as a bolt from blue sky, a charge was brought against him of having authorised the practice, associated ever since with his name, of opening letters at the Post Office.

Four petitioners addressed the House of Commons, praying for an inquiry, and the Home Secretary was asked whether he was aware that their letters had been read, and if so, whether it was done by the authority of a Secretary of State.

Sir James replied that—

The allegations made were to a great extent untrue. As to three of the petitioners no warrant had been issued. As to one, he had issued a warrant. By law he had the power, and he had exercised it. Authority for it was vested in the responsible Ministers of the Crown, entrusted to them for the public safety. He hoped the House would confide in the motives which had influenced him, and

would not call upon him to answer further questions, as it was not consistent with his duty.

The public excitement caused by this incident was increased when in the Upper House Lord Radnor moved for a return of any such warrants recently issued, and maintained that by law a separate warrant was needed for each letter. Lord Campbell committed himself to this as the right reading of the law ; Lord Brougham said, if that were so, the law should be amended ; while Lord Denman expressed 'horror' at the practice being allowed at all. Lord Normanby spoke in favour of retaining the power, which he had himself exercised. The Duke of Wellington defended the course taken by Sir James Graham, who had in no way exceeded the legal authority vested in him, but had strictly followed an uninterrupted course of precedents.

Ten days later Mr. Duncombe moved for a Select Committee to inquire, and flatly accused the Minister of having transgressed the law. Sir James Graham replied :

If I have violated the law, or exceeded my duty, let the hon. member prove it to a legal tribunal. The Secretary of State is amenable. But I demur to entering into any explanation. I demur even to a Select Committee as a tribunal before which to prosecute such an inquiry.

I state unhesitatingly that no power has been exercised by me but that which has existed since the Revolution. I have exercised it in the accustomed form. I have in no degree departed from the usage sanctioned by the highest constitutional authorities, who have been my predecessors in office. I acted on the best advice. My conscience is pure in this matter, and in the discharge of my public duty I consider it an imperative obligation<sup>1</sup> to demur to a public inquiry of this kind.

<sup>1</sup> 'You shall keep secret all matters revealed and committed to you.'—*The Oath of a Secretary of State.*

In the debate that followed, Mr. Macaulay said :

It was not enough that a Minister should tell them that he had the power, that he had exercised it, and that he was responsible, but would give no account how he had used it. He defied Ministers to show how the public safety could justify taking a letter of his out of the post-bag, any more than taking it out of his desk. Mr. Wilkes, when his letters were seized wrongfully, brought an action against the Secretary of State, and gained a verdict of £1,000 damages. Might not the Secretary of State, on some occasion like this, think it his duty on a principle to open all the letters of some thirty or forty representatives of the people ? Let them not act as spies.

Lord Howick contended that—

if Ministers were supported in refusing explanations, future Secretaries of State might with impunity examine the letters of their political opponents.

On the other side Sir Robert Peel explained that—

The Act of Queen Anne's reign conferred upon the Secretary of State the power to open letters ; this power had been recently and deliberately confirmed by the statute of 1837, introduced by Lord Melbourne's Administration ; and the Government had no choice but to exercise the power to the best of their discretion. He agreed with Sir James Graham that he ought not to enter into details. It would be pernicious to the public good to hold a public investigation of the reasons which had guided the Secretary of State in the discharge of his duty.

Lord Stanley also insisted that the Government was precluded from explanation by regard to their duty, and protested against the extravagant assumptions made by the Opposition, which, he said, they well knew to be at variance with the practice of every Administration.

On a division the motion for a Committee was rejected by a majority of forty-four.



The Press, however, took up the question hotly, and in July the attack was renewed in the Commons by moving for a Committee to inquire into the administration of the secret department of the Post Office, and the authority under which their functions were discharged. It fell to Sir James Graham to answer, and his speech may be given almost in full.

The hon. mover [Mr. Duncombe] has said that this is a question between the people and the Government. I admit that it has now assumed that aspect. I consider it a question of grave importance, and it is my intention to prove that I so consider it.

But the hon. member has said more. He has said that within the last two years there has been a most unscrupulous use of this power. He has designated it as a use contrary to law. Important as the subject is, its importance has been magnified by assertions made here and elsewhere, and circulated by the Press throughout the country, and especially by the bold assertions now for the first time made by himself. He used the expressions that 'everybody's letters were opened,' that 'the opening was wholesale,' that 'I had attempted to mystify the House,' and that 'I had already said so much that I must now say more.'

I am disposed to agree that I must now say more. When I consider the state of the public mind, so sensitive upon this subject, and the efforts made to inflame it—assiduously made, successfully made, designedly made, to create a false prejudice—I agree that the time has arrived when it is my duty to say more, and I am resolved that the whole truth shall be disclosed.

Sir, when I last addressed you upon this subject, it was under circumstances very different from the present. My immediate predecessor in office [Lord Normanby] had stated in the most solemn and positive manner that he believed that the power given to Secretaries of State as to delaying and opening letters was a power necessary for the safety of the State, that he himself had exercised it, and that he had no reason to believe that I his

successor had used the power in a manner inconsistent with my duty, or different from the manner in which my predecessors had employed it. It was under those circumstances that I addressed the House when the hon. member last made his motion.

Are these the circumstances now ?

Sworn servants of Her Majesty, Privy Councillors, versed in the affairs of State, conversant with the habits of office, well knowing what it has been their duty to do, and what their predecessors had done, have thought fit deliberately to impugn my conduct. The right hon. gentleman [Mr. Macaulay] for one, has not thought it unbecoming his station and abilities to come down—I fear not without preparation—and to pour forth the most impassioned language, pointing out, to the indignation of the House and the public, not the law, not the system, but me, the Minister of the Crown, acting in discharge of a function well known to my predecessors, and exercised by them.

Did he stand alone ? Did no other sworn Councillors of Her Majesty say the same thing ? What was the tone of the noble Lord [Howick] ?

These members might not indeed be conversant with the details of the administration of the Home Office. But I see in his place the noble Lord the member for the City of London [Lord John Russell], who held the seals of the Home Department for several years. He knows the practice of the office ; he knows what he did in that office. Yet he also did not think it inconsistent with his duty to vote in favour of a motion for inquiry. Not because he objected to the existence of the legal power, but because, forsooth, he said he was of opinion that it had been exercised by me not in the accustomed manner and according to usage.

What has been the inevitable effect of the motion so made and so supported ? To induce a conviction that I labour under a stigma peculiar to myself, of either having introduced a new practice, or of having departed in some important particular from precedents long established.

I will tell the House frankly that, however unworthy the attempt thus to crush a political opponent, there is no load of obloquy to which I would not submit in silence,

if I believed it was for the public good that investigation should be withheld any longer.

But after what has taken place—after the votes given by the noble Lords [Russell and Howick], and the right hon. gentleman [Mr. Macaulay], and Sir George Grey, all Cabinet Ministers, and by other gentlemen, some more and some less conversant with the practice of the Executive Government—I do say that the maintenance of this power without inquiry is impossible, and that a full inquiry may now be made without any sacrifice of what is due to the Crown, or to the public, while it will relieve me from an unjust load of calumny. It may be made, too, without any additional risk to the legal power, which is now not only endangered but positively destroyed, especially by the speeches and votes of those who have served Her Majesty in high and confidential offices.

I can now indulge my private feelings consistently with my public duty. I can be a party, aye, and I will be a party, to the most searching inquiry into the state of the law, and the practice from the earliest period down to the latest moment. As far as I am concerned, nothing whatever shall be concealed. I am prepared to go before a Committee, and to give evidence, stating fully everything I have done, in concurrence with my colleagues, and everything that has been done by my predecessors.

All I wish is that the inquiry may be full and complete. And the result will be, so far as I am concerned, that the power has been exercised in the strictest conformity with the established usage of my office.

That usage has not only been recognised by the State, but by various reports of Committees of this House. It has been recognised even quite recently in the consolidation of the statutes relating to the Post Office.

It will appear that neither in the mode nor in the extent of the use of the power can my conduct suffer by a comparison with that of former Secretaries of State.

In conclusion I therefore propose a Secret Committee of nine, a majority of whom shall be of the party opposed to the Government, and none of whom shall be persons who hold, or who have held, political office.

To this Committee I gladly submit my personal honour and my official conduct, and I make the submission

without fear. Though very dear to me, my honour is comparatively of small importance in a question of this sort. I entrust it to them, I place it in their power, and I await their judgment.

They will have to report upon the usage of the office, and upon the state of the law, which has existed from the earliest times, and which has been sanctioned by the authority and practice of men long gone to their great account—great constitutional authorities, men of spotless honour in private life, who dearly loved the liberties of their country.

I have no doubt that the members of the Committee will faithfully discharge their duty, and, although there has been some evil in the late discussions, and in the agitation of the public mind on this subject, I hope, believe, and pray that good may be the ultimate result.

A proposal so fair could not but be accepted unanimously. A Secret Committee, composed as suggested, was appointed by the Commons, and another, including two former Lord Chancellors, by the Lords.

Before the Commons Committee Sir James Graham was examined for four days, and in answer to their questions disclosed to them without reserve all the facts known to him. The Committee examined also the Duke of Wellington, Lord Melbourne, Lord John Russell, Sir Robert Peel, and Lord Aberdeen, as to the practice under former Administrations.

Mr. Duncombe was invited to produce evidence for the truth of his assertions, but refused to do so, unless he were allowed to be present at the inquiry.

This the Committee had no power to grant, and on appeal it was refused by the House.

The Reports of the two Committees (without the evidence, which remained secret) were laid before Parliament.

The Committee of the Commons, after a historical

review of the origin and growth of the practice of allowing 'the King's Posts' to carry letters for the convenience of private persons, cited the preamble of an Act of Cromwell's Parliament, which enumerates among the advantages of such an arrangement that 'it is the best means to discover and prevent many dangerous and wicked designs, which are daily contrived against the peace and welfare of the Commonwealth.'

After the Revolution a royal proclamation was issued commanding that no postmaster or others, except by the immediate warrant of a Secretary of State, should presume to open any letters not directed to themselves.

During the rebellion of 1745 warrants for opening letters were issued 'of a very general and unlimited character.' In 1800 and in 1801 orders were given to the Postmaster General to open 'all letters addressed to persons in France, Flanders, and Holland,' and in 1812 the postmasters of Nottingham, Manchester, and Glasgow were directed to open all such letters as should appear, to a named individual in each case, to be of a suspicious nature.

The Report goes on to record warrants issued in August, 1842, to open the letters of seventeen persons named. Most of them were taking prominent part in the Chartist disturbances of that year. They were indicted, and many of them convicted, before the Special Commission appointed to try such parties. Again, in 1843, clerks were sent down from the Post Office to inspect the letters of three persons in South Wales. These warrants of 1842-3 were issued by Sir James Graham.

In the current year, 1844, a warrant had been issued on the 1st of March, and cancelled on the 3rd of June, to open and detain letters addressed to Joseph Mazzini. The

letters were transmitted unread from the Home Office to the Secretary of State for Foreign Affairs.

Representations had been made to the British Government, from high sources, that plots, of which Mazzini was the centre, were carrying on, upon British territory, to excite an insurrection in Italy, and that such insurrection, should it assume a formidable aspect, would, from peculiar political circumstances, disturb the peace of Europe. The British Government, considering the extent to which British interests were involved in the maintenance of that peace, issued, on thier own judgment, but not at the suggestion of any Foreign Power, a warrant to open and detain Mazzini's letters. Such information deduced from those letters as appeared to the British Government calculated to frustrate this attempt, was communicated to a Foreign Power; but the information so communicated was not of a nature to compromise, and did not compromise, the safety of any individual within reach of that Foreign Power; nor was it made known to that Power by what means, or from what source, that information had been obtained.

The Report gave the names also of two friends of Mazzini whose letters were opened, and of a Pole, whose letters (with those of another foreign gentleman) were opened between June 3 and June 13, with a view to the personal safety of the Czar, then visiting the Queen. The Committee were of opinion that 'under circumstances so peculiar even a slight suspicion of danger would justify a Minister in taking extraordinary measures of precaution.'

The Report then proceeds :

The warrants issued during the present century may be divided into two classes.

First, those issued in furtherance of criminal justice.

Secondly, those issued for the purpose of discovering the designs of persons known or suspected to be engaged in proceedings dangerous to the State, or (as in Mazzini's

case) deeply involving British interests, and carried on in the United Kingdom or in British dominions beyond the seas.

Of the warrants issued in the present century it appears that about two-thirds were 'criminal warrants.' No suspicion arises that unfairness or partiality has directed their issue.

With regard to the other class of warrants, your Committee see no reason to doubt that the conduct of the Secretaries of State has been guided by no other motive than an anxious desire to preserve the public peace, with the maintenance of which they were charged. . . .

It will be for Parliament to consider whether they will determine upon any legislative regulation, or whether they will prefer leaving the power, on its present footing in point of law, in the hands of the Secretary of State, to be used on his responsibility in those cases of emergency in which, according to the best of his judgment, its exercise would be sanctioned by an enlightened public opinion, and would appear to be strongly called for by important public interests.

The Lords' Secret Committee reported to much the same effect, with these additions :

It is the concurrent opinion of witnesses who have held high office, and who may be most competent to form a sound judgment, that they would reluctantly see this power abolished.

The Committee leave it to the Legislature to determine whether this power shall continue to exist. They have discussed such rules as have been suggested as guards upon its future exercise—namely (1) the concurrence of more than one of the High Officers of State in the issue of such warrant ; and (2) better and more detailed record than is at present kept of the grounds upon which each warrant is issued.

They think that the responsibility will be more effective when resting upon the individuals who are mainly charged with the preservation of peace and the prevention of crime, than if it were divided with others. And a more detailed

account of the grounds upon which each warrant is granted would frequently have the effect of leaving in the office a grave accusation, without affording an opportunity of reply or defence.

The Committee are bound in conclusion to state that, having looked back to the proceedings of several Secretaries of State during successive Administrations for more than twenty years, they have found the practice has been nearly uniform, the power has been very sparingly exercised and never from personal or party motives, and in every case investigated it seems to have been directed by an earnest and faithful desire to adopt that course which appeared to be necessary, either to promote the ends of justice, or to prevent a disturbance of the public tranquillity, or otherwise to promote the best interests of the country.

The Commons Committee declined to discuss 'the purely legal question how far the Statute of Anne, in recognising the practice of issuing warrants to open letters, rendered it lawful for the Secretaries of State to issue such warrants.'

The Lords' Committee report on this :

The terms in which the provisions of the Act of 9 Anne, cap. 10, upon this subject are enacted, can only be explained upon the supposition that this power was at the time fully recognised. . . . The subsequent Statute of 35 Geo. III., and that of 1 Vict. cap. 33 adopted nearly the same form of recognition. The power therefore appears to have been exercised from the earliest period, and recognised by several Acts of Parliament.

In February, 1845, Mr. Duncombe again moved for an inquiry before an ordinary Select Committee, asserting that false dates had been given, that the warrant for opening Mazzini's letters had been fabricated, and that the Secret Committee had evaded the duty they were appointed to perform. He suggested also that information



given to a foreign State had caused the seizure and death of two Venetian brothers (Bandiera).

Sir James Graham in reply said :

There was not any one subject referred to by Mr. Duncombe on which he had not been examined by the Committee, and he had kept back nothing. Charges were easily made, and if it were considered by the House to be consistent with its dignity to have such charges bandied about, they were to him matters of comparative indifference.

In consequence of regulations made in 1806 it was not possible for the Home Secretary to issue any warrant unknown to other persons. The Under Secretaries of State, as well as the Chief Clerk, must in every case have cognisance of the fact. So much for the fabrication of a warrant and the assignment of a false date.

As to the brothers Bandiera, Lord Aberdeen in his place in the Lords had stated that he communicated nothing to any foreign power which could compromise the safety of any individual, and, though the hon. member did not, the House of Lords did believe his word.

With regard to this odious, invidious, and obnoxious power vested in the Secretary of State he himself entertained a strong opinion. For domestic purposes the exercise of it was open to many grave objections, and was only to be defended upon the ground of necessity. But with reference to foreign relations the case was different.

The United Kingdom was the only country in Europe where the Government possessed no power over a foreigner who for political purposes abused our hospitality. It was believed by the Government that on this occasion a conspiracy was formed for the purpose of making a descent on the shores of Italy, with the design of exciting internal disturbance ; that the conspiracy was formidable ; that, if the design had succeeded, the peace of Italy would have been disturbed ; and that under those circumstances the peace of Europe could not have been preserved. The conspirators in question concocted their plans at Corfu, and sailed from thence. It was not true

that their destination was believed to be the coast of Calabria. No information whatever had been given by the British Government to the Neapolitan Government on the subject, nor was that Government prepared with troops to meet them. All the information received through the Post Office was transmitted, unread by him, to Lord Aberdeen, and he was satisfied that Lord Aberdeen imparted to a foreign power nothing which could compromise the individuals who unhappily had paid the forfeit of their lives for their unsuccessful effort to raise insurrection.

The practical question was this. Would they revoke the power given by Statute to the Secretary of State ever since the reign of Queen Anne? Every information inquiry could give was before them. If they should be of opinion that this power was not necessary for the public safety, the proper course would be either to repeal the statute, or to impose further safeguards upon the exercise of the power. But if the power was to be retained, it was impossible to exercise it faithfully, fearlessly, and advantageously to the public, if the Secretary of State was to be called upon publicly to declare the reasons and circumstances which led him in each case to use it.

The Chairman of the Committee, Lord Sandon, confirmed Sir James Graham's statement.

The authorities, high and low, had given every information, and the means of checking their assertions by reference to documents. Nothing further in the way of information could be supplied. The circumstances connected with the letters of Mazzini and with the insurrection naturally had excited public sympathy with the distressed. But the Committee had the best means of knowing that the information given to a foreign power had not led to the disastrous consequences ascribed to it.

Sir Robert Peel quoted the Act of 1837, and said :

If this be not an express and direct recognition of the power by a recent Act of Parliament, I know not what can be. The Government exercises this power under

the authority and sanction of this House. You hold us responsible for the preservation of peace. This is one of the instruments which you have committed to our hands for that purpose. I know nothing more painful than the possession of powers of this nature. I am quite conscious that this House and the country were not generally aware of the exercise of this power ; that the presumption at first was that we had arrogated to ourselves a power which none of our predecessors in office had possessed. We bore the first brunt of the public storm, and, in the state of public feeling, it became necessary to allow a Committee to be appointed. Before that Committee we stated every fact, concealing nothing. . . . And now we are asked to make the evidence given on these conditions public ! I hardly think the House will agree in that view. . . .

If you believe that the exercise of this power was directed with an earnest and faithful desire to promote the ends of justice or prevent the disturbance of the public tranquillity ; then I ask you, who gave us this power,—you who made us responsible for the exercise of it, you who would have been the first to blame us, had calamity ensued from the non-exercise of it, you who appointed that tribunal whose report you have before you, not to imply a condemnation of your own Committee, and a suspicion of us, by subjecting us to another Committee, to another tribunal.

In the debate which followed, several political opponents did justice to Sir James Graham.

Lord John Manners spoke of him as ‘ one upon whom so many cruel and unjust imputations have been cast.’

Mr. Disraeli said that—

Of that right hon. gentleman he knew nothing but honour, and he had experienced nothing but courtesy. The right hon. baronet should not be made answerable for doing as other ministers had done before him.

Mr. Roebuck thought that—

Parliament should now put an end to the practice of

opening letters ; but there was no reason why the Home Secretary should be made a scapegoat, or sacrificed to an unfair clamour.

Lastly Lord John Russell said :

No doubt an undue share of indignation had been directed against the Home Secretary. As far as he could see, the conduct of the right hon. baronet had been exactly like that of his predecessors in office, and the power had been used generally to defeat the aims of conspiracy, and preserve the peace of the country. He doubted whether the power could be safely abolished. . . . Nevertheless further inquiry was necessary to disabuse the public mind of many unjust impressions.

The House of Commons took an opposite view, and refused public inquiry by a majority of ninety-five.

Several attempts were made to induce the House to reverse this decision, but without success. In one of the debates Sir James Graham stated publicly how the Mazzini affair began.

In September, 1843, I happened to be the only Secretary of State in London, and consequently had to perform the more pressing duties of my two noble colleagues. It was my duty to receive communications from Foreign Ministers, and I was informed of movements of a formidable character at Bologna. Our minister at Florence, Lord Holland, wrote that they were connected with a general movement throughout several Italian States. Towards the end of the month the Austrian minister, Baron Neumann, waited on me, and represented that these commotions were exciting great apprehension. He complained of publications of an inflammatory character in the press at Malta, and endeavoured to persuade me that it was the duty of the British Government to take steps for the suppression of such publications. I replied that the press was free, and the Government had no power to prevent such publications.

At the close of the conversation Baron Neumann put

into my hand the *Giovin' Italia*, containing an eloquent and inflammatory article by M. Mazzini, whom he pointed out as a principal in the affair, and whose aim, he said, was to encourage a simultaneous rising. Lord Aberdeen returned to London, and in January, 1844, informed me that Baron Neumann's representations were correct. This was confirmed beyond doubt by a communication received by the Government in February, the purport of which was that Mazzini was in active correspondence with conspirators throughout Europe.

After speaking of Mazzini as a gentleman of undoubted talents, but whose efforts in a cause he believed to be patriotic had been unsuccessful, Sir James read to the House, from the *Moniteur*, which had been supplied to him, a document purporting to decree the death of two Italian refugees assassinated in 1833 at Rhodéz by Louis Gavioli, who was condemned for it to the galleys for life. The decree, as published in the *Moniteur*, was signed by Mazzini, as President of a Secret Tribunal.

The genuineness of the signature, however, was at once denied indignantly by Mr. Duncombe, who read to the House an article from *The Westminster Review* in defence of Mazzini, and pointed out that he returned to France on purpose to prosecute the *Moniteur* for libel.

On a later day, in answer to a question, Sir James Graham said that—

Having made inquiries from the public prosecutor, and from the judge who presided, he had ascertained that at the trial of Gavioli no evidence whatever was adduced which inculpated Mazzini. Had he known this, he would most religiously have abstained from noticing the matter, and he now thought it due to M. Mazzini to make the only reparation in his power, by taking care that the retraction of the charge should be made as publicly as the accusation had been.

Mr. Duncombe accepted this apology on behalf of M. Mazzini, with entire satisfaction.

Later in the session, Mr. Duncombe moved for leave to bring in a Bill to secure the inviolability of letters passing through the Post Office.

Sir James Graham opposed the leave, saying :

I am almost seduced, by the manner in which the subject has now come to be dealt with, into departing from my previous reserve. To me it would be a source of infinite satisfaction if I could agree to the change in the law proposed. The power complained of can never cease to be viewed with odium and suspicion, and I frankly own that I think it, generally speaking, of very little use. I will go further, and say that, if it were to be created for the first time, I doubt whether I would vote for it. But it is not quite the same thing to discard that which has hitherto existed. We are without an Alien Act, and I do not desire to see one renewed. If Parliament relieved the Executive from the invidious duty of using this unpopular power, exceptional circumstances might arise which would lead to a reconsideration of the Alien question, and that might involve a far greater limitation of national hospitality.

On this occasion Lord John Russell, as leader of the Opposition, concurred in objecting to alteration of the law, and leave to bring in a Bill was refused by a majority of more than two to one.

After the full Parliamentary inquiries through Secret Committees and in debate, not much further light is thrown on the questions at issue by private correspondence or papers. But those of most interest here follow.

*To the Marquis of Normanby*

June 18, 1844.—Allow me to offer my sincere thanks for the generous and handsome speech which you made last night, not only in vindication of the power of the

Secretary of State respecting letters sent through the General Post Office, but in defence of the exercise of this power in my hands.

Your experience and sense of public duty must have prompted you to maintain the power ; your justification of me must have been dictated by love of fair play, if not by kinder feelings, and I am happy in the opportunity of acknowledging the obligation.

*From the Marquis of Normanby*

*June 19.*—I am much gratified by the manner in which you kindly express yourself as to the observation I made on Lord Radnor's motion. It is true, as you imagine, that I could not bear to see the odium, which may belong to the very nature of a power conferred from a sense of its necessity by the legislature, attempted without good cause to be affixed to the individual whose duty compelled him to execute it, and I certainly had no reason for believing that you would not be actuated by the same feelings on this subject as I had been myself.

*To Lord Aberdeen*

*June 26.*—I am gratified by the kindness of your note. The difficulty in which an act of mine has placed the Government deeply annoys me, and I am most anxious that my colleagues should be as little as possible involved. Particularly I wish that you should stand aloof, and I am glad that it has not been necessary for you to take any part in the discussion. Let me beg that you will neither say nor do anything concerning it without previous communication with me.

*To Lord Tankerville*

*Private.*

HOME OFFICE, *June 28, 1844.*

I am greatly obliged by the part which you took in the discussion in the House of Lords, when you produced the very highest constitutional authority for the power exercised by me, which Whigs condemn when placed in other hands, but use very freely when confided to their own.

*From Right Hon. J. W. Croker*

*July 16.*—I suppose the session draws to a close. You and Peel have had the brunt of the battle ; but you have conducted it ably. I do not recollect ever to have seen any one Minister singled out for attack so venomously as *you* have been, or on more flimsy pretexts. But, depend upon it, it does you no real harm with the *real public* ; and if, as I have no doubt, the Post Office bubble shall burst, your campaign will have been, on the whole, a satisfactory one.

*To Mr. Croker*

*July 18.*—The weight of business at this moment is very heavy, but the dangers of the session are surmounted. After a gale of wind, even in smooth water, it takes some time to put the ship to rights, and we have had a rough passage.

*From Lord Sandon*

*July 22.*—A rumour was repeated in our Committee-room to-day that O'Connell's letters, when last in town, addressed to him at Trafalgar Hotel, were not sent to him there, but opened, and sent on to Dublin ; and various persons were quoted as authority for it. Of course I do not believe a word of it, but will you enable me to say that it is false ? They had got an idea that Lord Melbourne's warrant was still in existence, and had never been cancelled.

*To Lord Sandon*

*July 23.*—I never intercepted a letter of O'Connell's, and I never heard of any interference with his correspondence, except under Lord Melbourne's warrant, of which the Committee is cognisant in all its details. I am quite sure that Sir Robert Peel's Government has never taken any step whatever to interfere with the transmission of Mr. O'Connell's letters ; they have been untouched, as far as the Government is concerned.

You know by my evidence, without a single exception, all that I know on this odious subject.



*To Lord Tankerville*

*July 28.*—I return these three original warrants, which I have produced before the Committees of both Houses, and which prove that the power exercised by Secretaries of State with respect to suspected letters in the Post Office is sustained by very high constitutional authority.

I am greatly obliged to you for placing in my hands such official weapons of defence, when an unfair attack was made on me.

[Enclosure]

*Warrant from Mr. Fox*

These are in His Majesty's name to authorise and direct you, from time to time, and until you shall receive orders to the contrary, to inspect, or cause to be inspected, all letters or packets which shall come into your custody, directed to or sent by any Foreign Minister of what rank soever residing at this Court; as also all letters and packets directed to or sent by any other person of whom you shall from time to time have special notice for that purpose from me or some other His Majesty's principal Secretary of State; and you are to cause such letters and packets to be copied, which copies you are immediately to transmit to one of His Majesty's principal Secretaries of State. And for so doing this shall be your Warrant.

Given at St. James' the 26th day of April, 1782.

C. J. Fox.

The Earl of Tankerville and  
The Right Hon. F. Carteret, His Majesty's Post-Master General.

*From Lord Brougham*

*Private.*

HOUSE OF LORDS, *February 21, 1845.*

I have my eye watchfully on the House of Commons, where I am disgusted at the perpetration of the most gross injustice I can yet recollect anywhere.

Surely Palmerston and J. Russell don't mean to damn themselves by silence.

Surely *they* know what they did themselves, and never can lay by and see you attacked, as if they had not opened letters, and M.P. letters too.

Roeback will do *his* duty by them, I am sure. But let me suggest, or say at least, what I should say if I were called upon as you are.

'I am forbidden by my duty and an oath to answer this question. But I will at once give an answer which includes the one addressed to me. I declare that I never opened, or caused to be opened, or knew of the opening, any one letter from or to any one person, which the discharge of my public duty did not imperatively require. And moreover, all I ever did, or knew of being done, was fully disclosed to the Committees of both Houses.' This is quite unanswerable.

*February 22, 1845. Private.*—I am on the whole well pleased, but still the conduct of J. R., Sir G. Grey, and above all of Pam, staying away, gives me much spleen.

Oh, if some one could only be induced to fire into you in the Lords! Don't you think, if Copy [Lord Lyndhurst] and I were to be reported paralytic, and Stanley dead of the gout, Jack Campbell might be set on by Pam and Disraeli, and so make a motion?

I half hope for some such blessed event. But as for you, you really have come out of the fire unsinged.

*To Lord Aberdeen*

*March 8, 1845.*—I have spoken to Peel on the subject of Sheil's motion. He advises that you should write a confidential note to Lord John Russell, refer to your late communication with him, and observe on the terms of Sheil's motion, which lead you to apprehend that Sheil, who was a member of Lord John Russell's Government, may intend to take his step with Lord John's approbation; in fairness, therefore, you think it right to apprise him that the words of the motion apply more closely to warrants issued for the opening of foreigners' letters, while Lord John and Sheil were members of the Government, than to the warrant issued in the case of Mazzini!

Peel would recommend a warning in these general terms rather than a statement of the particular case which we may be driven to disclose. You may say with safety that you have looked back to the warrants issued by your predecessors at the Foreign Office, and, if we are to be

condemned, they cannot stand excused. The stone in this instance is thrown by one who was the colleague of Palmerston.

The question raised by Lord Campbell's dictum, in parliamentary debate, that to detain and open letters under a general warrant—the almost uniform practice the Post Office since the first statute requiring warrants—would be illegal, was referred by Sir James Graham to the Law Officers, who reported :

We are of opinion that a warrant from the Secretary of State commanding the opening or detaining of all letters which may come to the Post Office directed to a particular individual, or otherwise sufficiently describing the letters intended, would be sufficient for the purpose, and that a separate warrant for each separate letter is not necessary.

W. W. FOLLETT.

FRED. THESIGER.

Thus it was shown that all Sir James Graham had done was simply his official duty, imposed by law, and performed by him much as by his predecessors, some of whom nevertheless took part with his assailants.

The law remains unchanged. The practice of Secretaries of State, in the unpleasant business of protecting public interests against gross misuse of 'the King's Posts,' is governed still only by their own discretion. But probably the furious outburst sixty years ago of ill-informed popular indignation, against supposed unnecessary interference with private letters, has had its effect in restricting within narrower compass such warrants for inspection as that which was signed in 1782 by so high a constitutional authority as Charles James Fox.

Personally, Sir James Graham bore the unjust and

malevolent attacks on him with dignity and silent self-control. His outward demeanour shallow observers mistook for haughty indifference to public opinion. But inwardly he was sorely tried. His brother and private secretary writes of him :

He never forgot the way in which he was treated in the affair of the Post Office, and he was amazed how certain of his old colleagues could coolly look on in silence and see him made a scapegoat, knowing as they did that he was cognisant of many cases where they had acted in a manner the public would have considered much more reprehensible ; and yet they said not a word in his defence, trusting to his honour not to save himself by exposing them.

I have heard him say how glad he was that they judged him rightly—that in a moment of excitement, when irritated by unjust treatment, he did not yield to the temptation.

From that day he never thought so highly as before of human nature.

Of himself, in a lighter vein, he used to say that he would go down to posterity famous only for having opened letters at the Post Office.

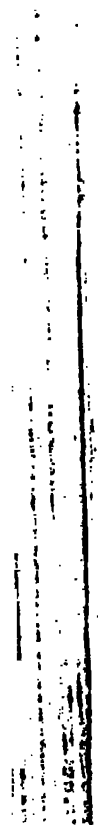
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